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भारत का राजपत्र

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NEW DELHI, SATURDAY, JANUARY 10, 1987/PAUSA 20, 1908

इस भाग में भिन्न पृष्ठ संख्या वाली जाती है जिससे यह यह अलग संकलन के रूप में
रखा जा सके।

Separate Paging is given to this Part in order that it may be filed as
a separate compilation

भाग II—लाप्त ३—उप-लाप्त (ii)
PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांचितिक आवेदन और अधिसूचनाएँ
Statutory Orders and Notifications issued by the Ministries of the Government of India (other than
the Ministry of Defence)

वित्त मंत्रालय
(राजस्व विभाग)
नई दिल्ली, 12 नवम्बर, 1986
आयकर

का. न्रा. 52—“आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (iii) के पश्चात्रण में केन्द्रीय सरकार, एतद्वारा श्री एस. के. सद्ग्राय को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी है, उक्त अधिनियम के प्रस्तुता-दिनांक 30-8-75 से 6-10-78 तथा 19-11-81 से 28-2-83 तक कर वसूली अधिकारी की शर्तियों का प्रयोग करने हेतु कार्योपरांत अधिकार देती है।

[पं. 6999 (का. सं. 398/29/84-आ. क. (व.))]
बी. ई. असेंजेंडर, द्वारा सचिव

MINISTRY OF FINANCE
(Department of Revenue)
New Delhi, the 12th November, 1986

INCOME-TAX

S.O. 52.—In pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961),

ex-post-facto authorisation of the Central Government is hereby accorded to Shri S. K. Sahay being a Gazetted Officer of Central Government, to exercise the powers of a Tax Recovery Officer under the said Act from 30-8-75 to 6-10-78 and from 19-11-81 to 28-2-83.

[No. 6999/F. No. 398/29/84-IT(B)]

B. E. ALEXANDER, Under Secy.

केन्द्रीय प्रत्यक्ष कर बोर्ड
नई दिल्ली, 31 अक्टूबर, 1986
आयकर

का. न्रा. 53—आयकर अधिनियम, 1961 (1961 का 43) की धारा 122 की उपधारा (1), प्रनकर अधिनियम, 1957 (1957 का 27), की धारा 9, वानकर अधिनियम, 1958 (1958 का 18) की धारा 8 द्वारा प्रदत्त शर्तियों का प्रयोग करते हुए तथा इस संबंध में पूर्ववर्ती सभी अधिसूचनाओं का अधिकरण करने हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड एवं द्वारा निर्देश देता है कि नीचे दी गई अनुसूची के संगम (1) में विविध रेंजों के अपोलोय सहायक आयकर आयुक्त-प्राक्षर/धनकर/वानकर के लिए निर्धारित उन सभी अधिकारी और आय/धन//धन को छोड़कर जिन पर शोधाधिकार आयकर आयुक्त (मपील) में निहित है, अनुसूची के संगम (2) को संतर्बंधी प्रविष्टि में विविध आयकर पर-

वक्त्रों, वाही और विलों में आयकर/वनकर/वाम-कार से निवारित वरी व्यापकताओं और आय/वन/दान के संबंध में अपने कार्य करेंगे।

मनुसूची

मनुसूची सहित रेजे	आयकर परिमंडल, वाही विवादों के संबंध में अपने कार्य करेंगे।
(1)	(2)
1. अपीलीय सहायक आयकर आयुक्त, रेज-1, बंगलौर	1. परिमंडल-1, बंगलौर 2. विवेग वन्मारा, बंगलौर 3. कौती परिमंडल-1 से VII, बंगलौर 4. द्रुष्ट परिमंडल, बंगलौर 5. फिल्म परिमंडल, बंगलौर 6. वेनारी परिमंडल, वेनारी 7. हॉर्ड परिमंडल, हॉर्ड
2. अपीलीय सहायक आयकर आयुक्त, रेज-2, बंगलौर	1. परिमंडल-II, बंगलौर 2. सर्वेक्षण परिमंडल, बंगलौर 3. मैतूर परिमंडल, मैतूर 4. मांड्या परिमंडल, मांड्या 5. हासर परिमंडल, हासर 6. दुमकुर परिमंडल, दुमकुर 7. केन्द्रीय परिमंडल, बंगलौर 8. जाव परिमंडल, बंगलौर 9. परिमंडल-IV, बंगलौर
3. अपीलीय सहायक आयकर आयुक्त रेज-III, बंगलौर	1. परिमंडल-III, बंगलौर 2. वेतन परिमंडल, बंगलौर 3. कौतार परिमंडल, कौतार 4. विकासनगर परिमंडल, विकासनगर 5. उदपी परिमंडल, उदपी 6. कूर्ग परिमंडल, वेलाडा 7. मंगलौर परिमंडल, मंगलौर 8. संपदा शुल्क एवं आकार परिमंडल, बंगलौर (आयकर/वनकर/वामकार के वापरों)
4. अपीलीय सहायक आयकर आयुक्त, आरवाड़ा रेज, बुदली	9. राजसू, परिमंडल, राजसू 10. गुतवर्ध परिमंडल, गुतवर्ध
5. अपीलीय गहायक आयकर आयुक्त, वैलगाम रेज,	1. हुबली परिमंडल, हुबली 2. धारवाड़ा परिमंडल, धारवाड़ा 3. गड्गा परिमंडल, गड्गा 4. गिरीरा परिमंडल, गिरीरा 5. चित्रकूर्ग परिमंडल, चित्रकूर्ग 6. धारवाड़ा परिमंडल, धारवाड़ा 7. वेनगिरी परिमंडल, वेनगिरी
6. अपीलीय सहायक आयकर आयुक्त, पण्डी रेज, पण्डी	1. वेलगाम परिमंडल, वेलगाम 2. बीतापुर परिमंडल, बीतापुर 3. बागल कुट

2. जहाँ कहीं कोई आयकर परिमंडल, वाही, जिला अवधाद उसका कोई नाम इस अधिसूचना द्वारा एक रेज से किसी अन्य रेज में अस्तरित कर दिया जाया हो, वहाँ उस आयकर परिमंडल, वाही या जिला अवधाद उसके किसी भाग में किए गए कर-निधिरिपोर्टों से उल्लग होने वाली अपीलें इस अधिसूचना की तारीख से तलाश पूर्व, रेज के उप अपीलीय सहायक आयुक्त के सभी विवादाधार परीक्षी अपीलें, जिसके अधिकार क्षेत्र उक्त प्राप्त हो।

परिमंडल, वाही या जिला अवधाद उसका कोई भाग अस्तरित किया जाया हो। इस अधिसूचना के जागू होने की तारीख से रेज के उप अपीलीय सहायक आयुक्त को अस्तरित की जाएगी और उसके द्वारा नियोजित जाएगी, जिसके अधिकार क्षेत्र में उक्त परिमंडल, वाही और जिला अवधाद उसका कोई भाग अस्तरित किया जाया हो।

यह अधिसूचना दिनांक 1-10-1986 से सागू होगी।

[म. 6988(फा. स. 261/28/86-प्रा. क. ख्या.)
सुरेन्द्र पाल, अवर सचिव]

टिप्पणी: 1958 (1958 का 34) भी द्वारा 4 को उप-धारा 2 के द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने अपीलीय सहायक आयकर आयुक्त रेज III, बंगलौर को, केन्द्रीय प्रत्यक्ष कार बोर्ड, 'नई दिल्ली द्वारा जारी की गई दिनांक 28-12-1982 की अधिसूचना स. 52/82 (फा. स. 307/11/82-सं. श.) के उन संपदा शुल्क अपीलों के संबंध में जो संपदा शुल्क अपीलीय नियन्त्रक [आयकर आयुक्त (प्रील)-III बंगलौर] के अधिकार में नहीं आती, दिनांक 3-1-1983 से संपदा शुल्क अपीलीय नियन्त्रक, बंगलौर के रूप में नियुक्त किया जाये हैं। इस प्रकार संपदा शुल्क की उन अपीलों के अधिकार, जो आयकर आयुक्त (प्रील) के अधिकार में आती हैं, संपदा शुल्क नियन्त्रक, बंगलौर के अधिकार में आने वाले सभी सहायक संपदा शुल्क नियन्त्रकों द्वारा पारित आवेदनों के विलाप को गई संपदा शुल्क अपीलीय संपदा शुल्क नियन्त्रक, बंगलौर [आयकर आयुक्त (प्रील) रेज-III] बंगलौर के अधिकार में प्राप्ती है।

CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 31st October, 1986

(INCOME TAX)

S.O. 53 In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961); Section 9 of Wealth-tax Act, 1957 (7 of 1957); Section 8 of the Gift-tax Act, 1958 (18 of 1958) and in supersession of all previous notifications in this regard the Central Board of Direct Taxes hereby directs that the Appellate Assistant Commissioner of Income-tax of the Ranges specified in column (1) of the Schedule below, shall perform their functions in respect of all the persons and the income/wealth/gift assessed to Income-tax/Wealth-tax/Gift-tax in the Income-tax Circle, Wards and Districts specified in the corresponding entry in column (2) thereof excluding all persons and income/wealth/gift assessed to Income-tax/Wealth-tax/Gift-tax over which the jurisdiction vests with the Commissioner of Income-tax (Appeals);

SCHEDULE

Ranges with Head Quarters	Income-tax Circle, Wards & Districts
(1)	(2)
1. Appellate Assistant Commissioner of Income-tax, Range-I, Bangalore	1. Circle-I, Bangalore. 2. Foreign Section, Bangalore. 3. Company Circles-I to VII, Bangalore
4. Trust Circle, Bangalore.	4. Film Circle, Bangalore.
5. Bellary Circle, Bellary.	6. Hospet Circle, Hospet.
6. Mysore Circle, Mysore.	7. Mysore Circle, Mysore.
2. Appellate Assistant Commissioner of Income-tax, Range-II, Bangalore	1. Circle-II, Bangalore. 2. Survey Circles, Bangalore.

(1)	(2)
	4. Mandya Circle, Mandya 5. Hassan Circle, Hassan. 6. Tumkur Circle, Tumkur. 7. Central Circles, Bangalore. 8. Investigation Cir. Bangalore. 9. Circle, IV, Bangalore.
3. Appellate Assistant Commissioner of Income-tax, Range-III, Bangalore	1. Circle-III, Bangalore. 2. Salary Circle, Bangalore. 3. Kolar Circle, Kolar. 4. Chickmagalur Circle, Chickmagalur. 5. Udupi Circle, Udupi. 6. Coorg Circle, Mercara. 7. Mangalore, Circle, Mangalore. 8. E.T.—cum-Income-tax Circle, Bangalore (Income-tax/Wealth-tax/Gift-tax cases) 9. Raichur Circle, Raichur. 10. Gulbarga Circle, Gulbarga.
4. Appellate Assistant Commissioner of Income-tax, Dharwar Range, Hubli	1. Hubli Circle, Hubli. 2. Dharwar Circle, Dharwar. 3. Gadag Circle, Gadag. 4. Shimoga Circle, Shimoga. 5. Chitradurga Cir., Chitradurga. 6. Karwar Circle, Karwar. 7. Davangere Circle, Davangere.
5. Appellate Assistant Commissioner of Income-tax, Belgaum Range, Belgaum.	1. Belgaum Circle, Belgaum. 2. Bijapur Circle, Bijapur. 3. Bagalkot.
6. Appellate Assistant Commissioner of Income-tax, Panaji Range, Panaji.	1. Panaji Circle, Panaji. 2. Margao Circle, Margao.

2. Whereas the Income-tax Circle, Ward or District or part thereof stands transferred by this Notification from one range to another range, as appeals arising out of the assessment in that Income-tax Circle, Ward or District or part thereof and pending immediately before the date of this Notification before Appellate Assistant Commissioner of the range from whom that Income-tax Circle, Ward or District or part thereof is transferred, shall from the date this Notification takes effect be transferred to and dealt with by the Appellate Assistant Commissioner of the range to whom the said Circles, Ward or District or part thereof is transferred.

This Notification shall take effect from 1-10-1986.
[No. 6988 (F.No. 261/29/86—(IT)]

SURRENDER PAUL, Under Secy.

मई विल्सो 15 जुलाई, 1986

प्रायकर

का. पा. 54.—प्रायकर प्रधिनियम, 1961 (1961 का 43) की धारा 121क की उपधारा (1) द्वारा प्रदत्त व्यक्तियों का प्रयोग करते हुए और सभी पूर्ववर्ती प्रादेशों का प्रधिनियम करते हुए, केंद्रीय प्रत्यक्ष कर

कर बोड एतद्वारा निर्देश देता है कि नीचे ही गई अनुसूची के स्वेच्छा (1) में विनिर्दिष्ट प्रधिकार क्षेत्र के आयकर आयुक्त (प्रपील) स्तर (2) और स्तर (3) की उत्तरसंघीय प्रधिकारों में विनिर्दिष्ट प्रायकर वार्ड, परिमंडलों, जिलों और रोज़ों में आयकर अधिकार या व्याप्र कर से निर्भारित ऐसे व्यक्तियों के बारे में प्रपत्ता कार्य विर्तहरण करेंगे जो आयकर प्रधिनियम, 1961 की धारा 246 की उपधारा (2) के खंड (क) से (ज), जिनमें (नाम) आयकर प्रधिनियम, 1961 (1961 का 7) की धारा 11 की उपधारा (1) तथा व्याप्र कर प्रधिनियम, 1974 (1974 का 45) की धारा 15 की उपधारा (1) में उल्लिखित किसी भी प्रादेश से व्यक्ति हुए हैं, और ऐसे व्यक्तियों या व्यक्तियों की श्रेणीयों की बाबत भी कार्य विर्तहरण करेंगे जिनके लिए बोर्ड आयकर प्रधिनियम, 1961 की धारा 246 की उपधारा (2) के खंड (1) के उपवर्धों के अनुसार विविध में निर्देश देगा।

अनुसूची

प्रधिकार क्षेत्र तथा आयकर वार्ड, परिमंडल तथा जिले सहिती सहायक आयुक्त की प्रधान वार्षिकी रूपमें

(1)	(2)	(3)
आयकर आयुक्त	1. आयकर परिमंडल-I विचूर निस. आयुक्त, विचूर रैंग-I (प्रपील) कालीकट	निस. आयुक्त, विचूर रैंग-I
	2. आयकर परिमंडल-I विचूर निस. आयुक्त, विचूर	
	3. आयकर परिमंडल, पालभाट	वर्दी
	4. आयकर परिमंडल-I, कालीकट	निस. आयुक्त, कालीकट रैंग
	5. आयकर परिमंडल-II, कालीकट	वर्दी-
	6. आयकर परिमंडल, कप्पानोर	वर्दी-
	7. आयकर परिमंडल, केसराजोर	वर्दी-
	8. आयकर केल्लीय परिमंडल, निस. आयुक्त (केल्लीय) अ नार्कुलम	निस. आयुक्त (केल्लीय) एनार्कुलम
	9. निस. आयुक्त (क.नि.)	वर्दी-
	10. आयकर परिमंडल, विचूर] निस. आयुक्त, विचूर रैंग (चूकि समाप्त किया गया)	विचूर

जहाँ कोई आयकर परिमंडल, वार्ड प्रथमा जिला प्रथमा उसका कोई भाग इस अधिकृतवाना द्वारा एक अधिकार क्षेत्र से कसी ग्रन्थ प्रधिकार क्षेत्र में अन्तरित कर दिया गया हो, वहाँ उस आयकर परिमंडल, वार्ड प्रथमा जिला प्रथमा उसके किसी भाग में किए गए निर्वाचनों से उत्पन्न होने वाली और इस अधिकृतवाना भी तारीख से तत्काल पूर्ण, प्रधिकार क्षेत्र के उल्लंघन कर आयुक्त (प्रपील) की समस्त विचाराधीन परीक्षणों, जिसके प्रधिकार क्षेत्र में उक्त आयकर परिमंडल 9 वार्ड प्रथमा जिला प्रथमा उसका कोई भाग अन्तरित किया गया हो, इस अधिकृतवाना वै सार्व होने की तारीख से प्रधिकार क्षेत्र के उस आयकर आयुक्त (प्रपील) को अन्तरित की जाएंगी और उसके द्वारा नियटार्ड जाएंगी जिसके प्रधिकार क्षेत्र में उक्त परिमंडल, वार्ड प्रथमा जिला प्रथमा उसका कोई भाग अन्तरित किया गया है।

यह अधिकृतवाना 1-7-1986 से लागू होगी।

[सं. 6810 (फ. सं. 261/20/86 प्रा.क. व्या.)]

New Delhi, the 15th July, 1986

INCOME-TAX

S.O. 54.—In exercise of the powers conferred by sub-section (1) of section 121A of the Income-tax Act, 1961

(43 of 1961) and in supersession of all the earlier orders, the Central Board of Direct Taxes hereby directs that the Commissioner of Income-tax (Appeals) of the Charges specified in column No.(1) of the schedule below shall perform their functions in respect of such persons assessed to Income-tax or Sur-tax or Interest-tax on the Income-tax Wards, Circles, Districts and Ranges specified in the corresponding entries in column No.(2) and column No.(3) thereof as are aggrieved by way of the orders mentioned in clauses (a) to (h) of sub-section (2) of section 246 of the Income-tax Act, 1961, in sub-section (1) of section 11 of Companies (Profits) Sur-tax Act, 1961 (7 of 1961) and in sub-section (1) of section 15 of the Interest Tax Act, 1974 (45 of 1974) and also in respect of such persons or classes of persons as the Board may direct in future in accordance with the provisions of clause (1) of sub-section (2) of section 246 of the Income-tax Act, 1961.

SCHEDULE

Charges with H.Qrs.	Income-tax Wards, Circles and Districts	Ranges of I.A.Cs.
(1)	(2)	(3)
C.I.T. (Appeals), Calicut.	1. I.T. Circle-I, Trichur 2. I.T. Circle-II, Trichur 3. I.T. Circle, Palghat 4. I.T. Circle-I, Calicut 5. I.T. Circle-II, Calicut 6. I.T. Circle, Cannanore 7. I.T. Circle, Kasargod 8. I.T. Central Circle, Ernakulam 9. I.A.C. (Assessment), Trichur 10. I.T. Circle, Trichur (Since abolished)	I.A.C., Trichur Range -do- -do- I.A.C., Calicut. Range -do- -do- -do- I.A.C., (Central) Ernakulam -do- I.A.C., Trichur Range

Whereas the Income-tax Circle, Ward District or part thereof stands transferred by this Notification from one charge to another charge, appeals arising out of the assessments made in that Income-tax, Circle, Wards or District or part thereof and pending immediately before the date of this Notification before the Commissioner of Income-tax (Appeals) of the charge from whom the Income-tax Circles, Ward or District or part thereof is transferred shall from the date of this Notification takes effect be transferred to and dealt with by the Commissioner of Income-tax (Appeals) of the charge to whom the said circles, wards or district or part thereof is transferred.

2. This Notification shall take effect from 1-7-1986.

[No.6810(F.No.261/20/86-IT)]

नई दिल्ली, 24 जूलाई, 1986

का. ग्रा. 55.—प्रायकर अधिनियम, 1961 (1961 का 43) की घारा 122 की उपधारा (1) द्वारा प्रदत्त शक्तियों और इस संबंध में इसे संभग बनाने वाली शक्ति सभी शक्तियों का प्रयोग करते हुए और इस संबंध में सभी पूर्ववर्ती अधिसूचनाओं का ध्यालेन्यन करते हुए, केन्द्रीय प्रत्यक्ष कर बोई एतद्वारा निवेदा देता है कि प्रायकर प्रायुक्त, कानपुर और प्रायकर प्रायुक्त (केन्द्रीय), कानपुर के केन्द्राधिकार के अन्तर्गत आने वाले सभी प्रायकर परिमंडलों, वार्डों और जिलों में प्रायकर से निर्धारित सभी शक्तियों तथा प्राय के संबंध में प्राप्तीलीय सहायक प्रायकर प्रायुक्त, कानपुर प्रपते कार्य निर्वर्ण करें।

यह अधिसूचना 1-8-86 से लागू होगी।

[सं. 6827(का.सं. 261/11/85-प्रायकर (स्पा.)]

New Delhi, the 24th July, 1986

S.O. 55.—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961) and all other powers enabling it in this behalf and in supersession of all previous notifications in this regard, the Central Board of Direct Taxes hereby directs that the Appellate Assistant Commissioner of Income-tax, Kanpur shall perform his functions in respect of all persons and incomes assessed to Income-tax in all the Income-tax Circles, Wards and Districts under the jurisdiction of the Commissioner of Income-tax, Kanpur and Commissioner of Income-tax (Central), Kanpur.

This Notification shall take effect from 1-8-1986.

[No. 6827 (F. No. 261/11/85-IT)]

नई दिल्ली, 24 दिसंबर, 1985

का. ग्रा. 56.—प्रायकर अधिनियम, 1961 (1961 का 43) की घारा 122 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इस संबंध में सभी पूर्ववर्ती अधिसूचनाओं का ध्यालेन्यन करते हुए, केन्द्रीय प्रत्यक्ष कर बोई एतद्वारा निवेदा देता है कि सीधे दी गई मनुसूची के स्तर (2) में विनिर्दिष्ट रेंजों के प्राप्तीलीय सहायक प्रायकर प्रायुक्त, प्रायकर से निर्धारित उन सभी शक्तियों और प्राय को छोड़कर जिन पर केन्द्राधिकार प्रायकर प्रायुक्त (प्राप्तील) में निहित है, उक्त मनुसूची के स्तर (3) की तर्संबंधी प्रविधियां विनिर्दिष्ट प्रायकर परिमंडलों, वार्डों और जिलों में प्रायकर से निर्धारित सभी शक्तियों और प्राय के संबंध में प्रपते कार्य करें।

अनुसूची:

कम से. प्राप्तीलीय सहायक प्रायुक्त प्रायकर परिमंडल, वार्ड और जिला की रैज

(1)	(2)	(3)
1. प्राप्तीलीय सहायक प्रायकर प्रायकर, "क" रेज, हैदराबाद	1. परिमंडल-III, हैदराबाद	2. करीमनगर
2. सर्वेक्षण परिमंडल, हैदराबाद	3. सर्वेक्षण परिमंडल, करीमनगर	4. खस्मान
3. परिमंडल-IV, हैदराबाद	5. फिल्म परिमंडल, हैदराबाद	6. कंपनी परिमंडल, हैदराबाद
4. फिल्म परिमंडल, हैदराबाद	7. कंपनी परिमंडल, हैदराबाद	8. परियोजना परिमंडल, हैदराबाद
5. कंपनी परिमंडल, हैदराबाद	9. केंद्रीय परिमंडल-I, हैदराबाद	10. केंद्रीय परिमंडल-II, हैदराबाद
6. केंद्रीय परिमंडल-I, हैदराबाद	11. केंद्रीय परिमंडल-III, हैदराबाद	12. परिमंडल-I, हैदराबाद
7. केंद्रीय परिमंडल-II, हैदराबाद	13. विशेष जांच परिमंडल-I, हैदराबाद	
8. केंद्रीय परिमंडल-II, हैदराबाद		
9. केंद्रीय परिमंडल-III, हैदराबाद		
10. केंद्रीय परिमंडल-IV, हैदराबाद		
11. केंद्रीय परिमंडल-III, हैदराबाद		
12. केंद्रीय परिमंडल-II, हैदराबाद		
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3. भ्रीलीय सहायक प्रायकर आयुक्त, विजयवाडा रेंज, विजयवाडा।	1. विजयवाडा परिमंडल, विजयवाडा (चूंकि समाप्त किया गया) 2. सर्वेक्षण परिमंडल, विजयवाडा (चूंकि समाप्त किया गया) 3. विजयवाडा परिमंडल-I, विजय- वाडा 4. विजयवाडा परिमंडल-II, विजय- वाडा 5. मेळांडीपत्तनम्, 6. तेनाली 7. गुदीवाडा 8. नेवोर 9. अंगोला 10. वपाटला 11. गण्टूर 12. सर्वेक्षण परिमंडल, गण्टूर 13. केन्द्रीय परिमंडल, विजयवाडा 14. पालाकोल 15. टनुकु 16. भीमावरम 17. विशेष जांच परिमंडल, गण्टूर 18. सर्वेक्षण परिमंडल, वेलोर 19. सर्वेक्षण परिमंडल, पालाकोल (चूंकि समाप्त कर दिया गया) 20. एलुरु 21. विशेष जांच परिमंडल, विजय- वाडा।	
4. भ्रीलीय सहायक प्रायकर आयुक्त, विशाखापत्तनम्।	1. भ्रामणपुरम् 2. रामपुंद्री 3. सर्वेक्षण परिमंडल, रामपुंद्री (चूंकि समाप्त कर दिया गया) 4. विशाखापत्तनम् परिमंडल, विशा- 5. सर्वेक्षण परिमंडल, विजयनगर 6. विजय नगर 7. भट्टाकपल्ली 8. श्रीकाकुलम 9. केन्द्रीय परिमंडल-I, काकीनाडा 10. परिमंडल-I, काकीनाडा 11. परिमंडल-II, काकीनाडा 12. विशेष जांच परिमंडल, विशाखा- पत्तनम् 13. सर्वेक्षण परिमंडल, काकीनाडा (चूंकि समाप्त कर दिया गया) 14. वेतन परिमंडल, विशाखापत्तनम्	
5. भ्रीलीय सहायक प्रायकर आयुक्त, ग्रन्तपुर।	1. ग्रन्तपुर 2. हिंदुपुर 3. कुट्टपाह 4. प्रोवत्तूर 5. तिलुपति 6. सर्वेक्षण परिमंडल, तिलुपति 7. चित्तोड़ 8. एड्सनी 9. करनूल 10. नल्ल्याल 11. सर्वेक्षण परिमंडल, ग्रन्तपुर	

जहाँ कहीं कोई प्रायकर परिमंडल, वाई ग्रथवा जिला ग्रथवा उसका कोई भाग इस ग्रथसूचना द्वारा एक रेंज से किसी ग्रन्थ रेंज में छान्तरित कर दिया गया हो, वहाँ उस प्रायकर परिमंडल, वाई या जिला ग्रथवा उसके किसी भाग में किए गए तिवारिणों से उत्पन्न होने वाली इस ग्रथसूचना से कों तारीके से तत्काल पूर्व रेंज के उत्तर प्रभावीय सहायक आयुक्त के समक्ष विचाराधीन पड़ी ग्रधीरों, जिसके अधिकार थेन से उक्त आयकर परिमंडल, वाई या जिला ग्रथवा उत्तर कोई भाग ग्रन्तरित किया गया हो, इस ग्रथसूचना के लागू होने की तारीके से रेंज के उत्तर प्रभावीय नहायक आयुक्त को ग्रन्तरित की जायेगी और उसके द्वारा निपटाई जाएगी, जिसके अधिकार थेन उक्त परिमंडल, वाई और जिला ग्रथवा उसका कोई भाग अंतरित किया गया हो।

यह दूसरी ग्रथसूचना 16-10-85 से लागू होगी।

[स. 6469 (फा. सं. 261/19/84-प्राक. ग्राम)]
ए. के. गर्ग, अवर सचिव

New Delhi, the 24th October, 1985

S.O. 56—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961) and in supersession of all the previous notifications in this regard the Central Board of Direct Taxes, hereby directs that Appellate Assistant Commissioners of Income-tax of the Ranges specified in column (2) of the schedule below shall perform their functions in respect of all persons and income assessed to Income-tax in the Income-tax circles, Wards and Districts specified in the corresponding entry in column No.3 thereof excluding all persons and incomes assessed to Income-tax over which the jurisdiction vests in the Commissioner of Income-tax (Appeals).

SCHEDULE

S. No.	Appellate Assistant Commissioner's Range	Income-tax Circle, Ward and District
1	2	3
1.	Appellate Assistant Commissioner of Income-tax, 'A' Range, Hyderabad.	1. Circle-I & II, Hyderabad. 2. Karimnagar. 3. Survey Circle, Karimnagar. 4. Khamman. 5. Circle-IV, Hyderabad. 6. Film Circle, Hyderabad. 7. Company Circle, Hyderabad. 8. Project Circle, Hyderabad. 9. Central Circle-I, Hyderabad.
10.	Central Circle-II, Hyderabad.	10. Central Circle-II, Hyderabad.
11.	Central Circle-III, Hyderabad.	11. Central Circle-III, Hyderabad.
12.	Circle-I, Hyderabad	12. Circle-I, Hyderabad
13.	Special Investigation Circle-I, Hyderabad.	13. Special Investigation Circle-I, Hyderabad.
2.	Appellate Assistant Commissioner of Income-tax, 'B' Range, Hyderabad.	1. Salary Circle, Hyderabad. 2. Nizamabad. 3. Survey Circle, Nizamabad. 4. Nirmal. 5. Survey Circle, Hyderabad. 6. Special Investigation Circle-II, Hyderabad.
7.	Mahaboobnagar.	7. Mahaboobnagar.
8.	Warangal.	8. Warangal.
9.	Survey Circle, Warangal.	9. Survey Circle, Warangal.
10.	Sangareddy.	10. Sangareddy.
11.	Circle-II, Hyderabad.	11. Circle-II, Hyderabad.

1	2	3
3. Appellate Assistant Commissioner of Income-tax, Vijayawada Range, Vijayawada.	12. Special Circle, Hyderabad 13. Nalgonda.	1. Vijayawada Circle, Vijayawada (since abolished) 2. Survey Circle, Vijayawada (since abolished) 3. Vijayawada Circle-I, Vijayawada. 4. Vijayawada Circle-II, Vijayawada. 5. Mechilipatnam. 6. Tanali. 7. Gudivada. 8. Nellore. 9. Ongole. 10. Bapatla. 11. Guntur. 12. Survey Circle, Guntur. 13. Central Circle, Vijayawada 14. Palakol. 15. Tanuku. 16. Bhimavaram. 17. Special Investigation Circle, Guntur. 18. Survey Circle, Nellore. 19. Survey Circle, Palakol (since abolished) 20. Eluru. 21. Special Investigation Circle, Vijayawada.
4. Appellate Assistant Commissioner of Income-tax, Visakhapatnam.	1. Amalapuram. 2. Rajahmundry. 3. Survey Circle, Rajahmundry (since abolished) 4. Visakhapatnam Circle, Visakhapatnam. 5. Survey Circle, Visakhapatnam (since abolished) 6. Vizianagaram. 7. Anakapalli. 8. Srikakulam. 9. Central Circle-I, Kakinada. 10. Circle-I, Kakinada. 11. Circle-II, Kakinada. 12. Special Investigation Circle, Visakhapatnam. 13. Survey Circle, Kakinada (since abolished) 14. Salary Circle, Visakhapatnam.	1. Ananthapur. 2. Hindupur. 3. Cuddapah. 4. Proddutur. 5. Tirupathi. 6. Survey Circle, Triupathi. 7. Chittor. 8. Adoni. 9. Kurnool. 10. Nandyal. 11. Survey Circle, Ananthapur.
5. Appellate Assistant Commissioner of Income-tax, Ananthapur.		

Whereas an Income-tax Circle/Ward or district or part thereof stands transferred by this notification from one Range to another Range, appeals arising out of assessments made in that circle, ward or district or part thereof and pending immediately before the date of this notification before the Appellate Assistant Commissioner of the Range from whom that Income-tax Circle, Ward or District or part thereof is transferred shall from the date this notification takes effect, be transferred to and dealt with by the Appellate Assistant Commissioner of the Range to whom the said Circle, Ward or District or part thereof is transferred.

This notification shall take effect from 16-10-85.

[No. 6469 (F.No. 261/19/85-ITJ)]
A.K. GARG, Under Secy.

केन्द्रीय उत्पादन शुल्क समाहृतालय

गुन्दूर, 15 अक्टूबर, 1986

प्रधिकारना सं. 4/86

का.आ. 57.—केन्द्रीय उत्पादन शुल्क नियमावासी, 1944 के नियम 5 के अधीन, सुधे प्रदत्त शक्तियों का प्रयोग करते हुए मैं, नीचे विये गये नियम के अधीन कालम 3 में पदनामित अधिकारी को समाहृतालय के अधिकार क्षेत्र के अंदर प्रयोग किये जाने के लिये स्वयं में निहित शक्तियों प्रत्यायीजित करता हूँ।

1	2	3	4
केन्द्रीय उत्पादन शुल्क	सौंपो गयी शक्तियों का स्वरूप	जिस अधिकारी को प्रत्यायोजित की गयी हैं	सोमारे
173 जी (1) (4)	समेकित अ.आ.ले. (पी.एस.ए.) के रख- रखाव की मनुमति को शक्ति	मुख्य लेका अधिकारी —	

[का.सं. 4/16/21/86-एम.पी.-2]
ए.डी. नागपाल, समाहृत

CENTRAL EXCISE COLLECTORATE

Guntur, the 15th October, 1986

NOTIFICATION No. 4/86

S.O. 57.—In exercise of the powers conferred on me under Rule 5 of the Central Excise Rules, 1944, I delegate the powers vested in me under the rule detailed below to the officer designated in column 3 to be exercised within the jurisdiction of the Collectorate.

Central Excise Rule	Nature of power delegated	Officer to whom dele- gated	Limita- tions
1	2	3	4
173 G(1)(iv)	Power to permit for maintenance of consolidated P.L.A.	Chief Accounts Officer	—

[F.No. IV/16/21/86-M.P.2]
A.D. NAGPAUL, Collector

(आधिकारी कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 16 दिसम्बर 1986

का.आ. 58 प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 29 धारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक और स्टेट बैंक ग्रामीण इंडिया के परामर्श से निम्नलिखित नियम बनाती है, अर्थात्:—

1. संक्षिप्त नाम और प्रारम्भ:—(1) इन नियमों का नाम ग्रामीण बैंक (बोर्ड के अधिकारेन) नियम, 1986 है।

(2) ये राजपत्र में प्रकाशन की तारीख से लागू होंगे।

2. परिभाषा:—इन नियमों में, जब तक कि संदर्भ से अन्यथा अपेक्षित न हो,

(क) "अधिनियम" से प्रादेशिक ग्रामीण बैंक अधिनियम 1976 (1976 का 21) अभिप्रेत है।

(ख) "बैंक" से अल्पनंदा ग्रामीण बैंक अभिप्रेत है।

(ग) ऐसे शब्दों और पदों के जो इन नियमों में प्रयुक्त हैं और परिभाषित नहीं हैं किन्तु अधिनियम में परिभाषित हैं वही अर्थ हैं, जो उनके अधिनियम में हैं।

3. बोर्ड के अधिवेशनों की न्यूनतम संख्या:—एक वर्ष में बोर्ड के कम से कम छह अधिवेशन होंगे और हर तिमाही में कम से कम एक अधिवेशन होगा।

4. अधिवेशनों का संयोजन:—अधिवेशनों का संयोजन बोर्ड के अध्यक्ष द्वारा किया जायगा।

5. अधिवेशनों का स्थान:—बोर्ड के अधिवेशन बैंक के मुख्य कार्यालय में अथवा अधिवृत्ति क्षेत्र में किसी ऐसे अन्य स्थान पर होंगे, जिसे बोर्ड विनिश्चित करे।

6. अधिवेशन की सूचना तथा कारबार की सूची:—
(1) (क) बोर्ड के प्रत्येक अधिवेशन का समय एवं स्थान अध्यक्ष द्वारा विनिश्चित किया जायेगा।

(ख) बोर्ड के अधिवेशन के लिए प्रत्येक निदेशक को अधिवेशन की तारीख से साधारणतः कम से कम पन्द्रह दिन की सूचना दी जायेगी और प्रत्येक निदेशक को यह सूचना उसके द्वारा इस निमित विनिर्दिष्ट पते पर भेजी जायेगी।

(ग) अधिवेशन में किये जाने के लिए प्रस्तावित कारबार की सूची उक्त सूचना के साथ ही परिचालित की जायेगी।

(घ) उस कारबार के सिवाय जिसके लिए अधिवेशन बुलाया गया है, कोई अन्य कारबार अधिवेशन के अध्यक्ष तथा उपस्थिति निदेशकों की बहुसंख्या की सहमति के बिना तब तक नहीं किया जायेगा जब तक कि उस कारबार के बारे में अध्यक्ष को एक सप्ताह की लिखित सूचना नहीं दें दी गयी है।

(2) यदि बोर्ड का आपात अधिवेशन बुलाना आवश्यक हो तो प्रत्येक निदेशक को पर्याप्त समय पूर्व सूचना दी जायेगी।

7. बोर्ड का विषेष अधिवेशन:—(1) अध्यक्ष, इस प्रयोजन के लिए कम से कम बार निदेशकों से मांग प्राप्त होने पर, बोर्ड का अधिवेशन बुलायेगा।

(2) इस मांग में उस प्रयोजन का उल्लेख होगा, जिसके लिए अधिवेशन बुलाने की अपेक्षा की गई है।

(3) अधिवेशन मांग प्राप्त होने की तारीख से 21 दिन के भीतर ही बुलाया जायेगा।

8. बोर्ड के अधिवेशन के लिए गणरूपि निदेशकों को कुल संख्या के एक तिहाई या चार की इनमें से जो अधिक हों, होंगी।

परन्तु जहां इस अधिनियम की धारा 4 की उपधारा (4) के उल्लंघन के कारण कोई निदेशक बोर्ड के अधिवेशन में विवार-विमर्श में भाग लेने के अथवा मत देने में असमर्थ हो, वहां गणरूपि तीत की होगी।

9. गणरूपि न होने के कारण अधिवेशन का स्थगन:—यदि बोर्ड न हो प्रतिवेगन, गणरूपि न होने के कारण नहीं हो सका हो तो अधिवेशन अगले सप्ताह में उसी दिन, उसी स्थान एवं समय के लिए, अथवा यदि वह दिन सार्वजनिक अवकाश-दिन हो, तो उससे अगले दिन, जो सार्वजनिक अवकाश दिन न हो, उसी समय और उसी स्थान के लिए स्वतः स्थगित हो जायेगा।

परन्तु जहां गणरूपि न होने के कारण स्थगित अधिवेशन में कोई निदेशक प्रतिवेगन रहा हो, वहां अध्यक्ष जिस तारीख तक के लिए अधिवेशन स्थगित हो, उससे पूर्व उस निदेशक को यह सूचना मेज़ेदा कि गणरूपि न होने के कारण उस तारीख को अधिवेशन नहीं हुआ।

10. परिवातन द्वारा कारबार:—(1) यदि अध्यक्ष ऐसा निदेश दे तो बोर्ड द्वारा किये जाने वाले कारबार को कागजों के परिवातन द्वारा निदेशकों (भारत से बाहर गये निदेशकों से भिन्न) को निर्दिष्ट किया जा सकता है।

(2) कोई भी कारबार जिसे उपनियम (1) के अन्तर्गत परिवातित किया गया हो और उन निदेशकों के बहुमत द्वारा प्रतिवेगित किया जा चुका हो, जिन्होंने अपने विचार लेखदृष्ट किये हों, उसी प्रकार प्रभावी और आवद्धकार होगा मानो ऐसा कारबार अधिवेशन में उपस्थिति निदेशकों के बहुमत द्वारा विनिश्चित किया गया हो।

(3) परिवातन द्वारा परित कोई मामला बोर्ड द्वारा उस तारीख को परित किया गया भाना जायेगा जिस तारीख को उस मामले पर अन्तिम हस्ताक्षरकर्ता ने हस्ताक्षर किये हों।

(4) यदि कोई मामला परिवातन परिगम से सभी निदेशकों को संसूचित किया जायेगा।

(5) कागजों के परिवातन द्वारा किसी प्रश्न पर किये गये सभी विवरणों को अभिलेख के लिए अगले अधिवेशन में रखा जायेगा।

11. कारबार के अभिलेख:—(1) (क) बोर्ड के अधिवेशनों के कार्यवृतों को पुस्तक (जिन्हें इसमें इसके पश्चात् कार्यवृत्त पुस्तक कहा गया हो) में रखा जायेगा।

(ख) कार्यवृत्त पुस्तक का हर पृष्ठ यथास्थिति, अध्यक्ष अथवा निदेशक, जिसमें अधिवेशन की अध्यक्षता की हो, द्वारा आद्यात्मिता या हस्ताक्षरित किया जायेगा तथा ऐसी पुस्तक में प्रत्येक अधिवेशन की कार्यवाहियों के अभिलेख के अन्तिम पृष्ठ पर तारीख डाली जायेगी।

(2) प्रत्येक अधिवेशन की समाप्ति के पश्चात् यथाशीघ्र इन कार्यवृत्तों की प्रति प्रत्येक निदेशक को भेजी जायेगी।

(3) जब कोई कारबाह या काजिओं के परिचालन द्वारा किया जाये तो इस प्रकार किये गये कारबाह के अभिलेख को अध्यक्ष द्वारा हस्ताक्षरित किया जायेगा और कार्यवृत्त पुस्तक में उसको प्रक्रिया की जायेगी।

(4) प्रत्येक अधिवेशन के कार्यवृत्त पुस्तक के लिए अगले अधिवेशन में रखे जायेंगे।

(5) अधिवेशनों के बीच कार्यवृत्त जो इन नियमों के उपबंधों के अनुसार रखे जायेंगे, उनमें अधिलिखित कार्यवाहियों का साक्ष्य होगे।

[सं. एफ. 12-3/86-प्रारम्भीकी(7)]

(Department of Economic Affairs)
(Banking Division)

New Delhi, the 15th December, 1986

S.O. 58.—In exercise of the powers conferred by section 29 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government, after consultation with the Reserve Bank of India and State Bank of India hereby makes the following rules namely—

1. Short title and commencement.—(1) These rules may be called the Alaknanda Gramin Bank (Meeting of Board) Rules 1986.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—In these rules, unless the context otherwise requires—

(a) "Act" means the Regional Rural Banks Act, 1976 (21 of 1976).

(b) "bank" means the Alaknanda Gramin Bank.

(c) words and expressions used herein and not defined but defined in the Act have the meanings respectively, assigned to them in the Act.

3. Minimum number of meetings of the Board.—The Board shall hold atleast six meetings in a year and at least one meeting in every quarter.

4. Convening of meetings.—Meetings of the Board shall be convened by the Chairman.

5. Venue of the meetings.—The meetings of the Board shall be held at the head office of the bank or at such other place in the notified area as the Board may decide.

6. Notice of meeting and list of business.—(1) (a) : The Chairman shall decide the time and place of every meeting of the Board.

(b) A notice of not less than fifteen days shall ordinarily be given to every director for a meeting of the Board and the notice shall be sent to every director at the address specified by him in this behalf.

(c) A list of business proposed to be transacted at the meeting shall be circulated along-with the notice.

(d) No business, other than that for which the meeting was convened, shall be transacted at a meeting of the Board except with the consent of the Chairman of the meeting and a majority of the Directors present unless one week's notice of such business has been given in writing to the Chairman.

(2) Where it is necessary to call an urgent meeting of the Board, a notice of not less than seven days shall be given to each director.

7. Special meeting of the Board.—(1) The Chairman shall call a meeting of the Board after a requisition for that purpose has been received by him from not less than four directors.

(2) The requisition shall state the purpose for which the meeting is required to be called.

(3) The meeting shall be called not later than twenty-one days from the date of receipt of the requisition.

8. Quorum for a meeting.—A quorum for a meeting of the Board shall be one-third of the total number of directors or four whichever is higher.

Provided that where by reason of the provision of sub-section (4) of section 14 of the Act any director is unable to take part in the discussion of, or vote at, a meeting of the Board, the quorum shall be three.

9. Adjournment of meeting for want of quorum.—If a meeting of the Board could not be held for want of quorum, then the meeting shall automatically stand adjourned till the same day in the next week, at the same time and place, or if that day is a public holiday, till the next succeeding day which is not a public holiday, at the same time and place:

Provided that where a director is not present at a meeting adjourned for want of quorum, the Chairman shall, before the date to which the meeting stands adjourned, send notice to the director that the meeting was not held on the date for want of quorum.

10. Business by circulation.—(1) A business which is to be transacted by the Board may, if the Chairman so directs, be referred to directors (other than directors who are absent from India) by circulation of papers.

(2) Any business circulated under sub-rule (1) and approved by such number of directors as are necessary to constitute quorum for a meeting of the Board who have recorded their views in writing shall be as effectual and binding as if such business were decided by the majority of the directors present at a meeting.

(3) A business passed by circulation shall be deemed to be a business passed by the Board on the date it was signed by the last signatory to the business.

(4) If a business is circulated the result of the circulation shall be communicated to all the directors.

(5) All decisions on a question arrived at by circulation of papers shall be placed at the next meeting for record.

11. Records of business.—(1) (a) The minutes of the meetings of the Board shall be kept in book (hereinafter referred to as the Minutes Book).

(b) Every page of the Minutes Book shall be initialed or signed by the Chairman or the director, as the case may be, who presided at the meeting and last page of the record of proceedings of each meeting of such book shall be dated.

(2) Copies of such minutes shall be forwarded to each director as soon as possible after every meeting.

(3) When a business is transacted by circulation of papers, a record of business so transacted shall be signed by the Chairman and shall be entered in the Minutes Book.

(4) The minutes of each meeting shall be placed before the next meeting for confirmation.

(5) The minutes of meetings kept in accordance with the provisions of these rules shall be evidence of proceedings recorded therein.

[No. F. 12-3/86-RRB(7)]

का. गा. 59 :—प्रादेशिक भारतीय बैंक अधिलिप्यम्, 1976 (1976 का 21) की भारा 29 द्वारा प्रकृत शक्तियों का प्रयोग करते हुए, केन्द्रीय

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—In these rules, unless the context otherwise requires—

(a) "Act" means the Regional Rural Banks Act, 1976 (21 of 1976).

(b) "bank" means the Bhagalpur-Banka Kshetriya Gramin Bank.

(c) words and expressions used herein and not defined but defined in the Act have the meanings, respectively, assigned to them in the Act.

3. Minimum number of meetings of the Board.—The Board shall hold at least six meetings in a year and at least one meeting in every quarter.

4. Convening of meetings.—Meetings of the Board shall be convened by the Chairman.

5. Venue of the meetings.—The meetings of the Board shall be held at the head office of the bank or at such other place in the notified area as the Board may decide.

6. Notice of meeting and list of business.—(1)(a) The Chairman shall decide the time and place of every meeting of the Board.

(b) A notice of not less than fifteen days shall ordinarily be given to every director for a meeting of the Board and the notice shall be sent to every director at the address specified by him in this behalf.

(c) A list of business proposed to be transacted at the meeting shall be circulated alongwith the notice.

(d) No business, other than that for which the meeting was convened, shall be transacted at a meeting of the Board except with the consent of the Chairman of the meeting and a majority of the Directors present unless one week's notice of such business has been given in writing to the Chairman.

(2) Where it is necessary to call an urgent meeting of the Board, a notice of not less than seven days shall be given to each director.

7. Special meeting of the Board.—(1) The Chairman shall call a meeting of the Board after a requisition for that purpose has been received by him from not less than four directors.

(2) The requisition shall state the purpose for which the meeting is required to be called.

(3) The meeting shall be called not later than twenty-one days from the date of receipt of the requisition.

8. Quorum for a meeting.—A quorum for a meeting of the Board shall be one-third of the total number of directors or four whichever is higher.

Provided that where by reason of the provision of sub-section (4) of section 14 of the Act any director is unable to take part in the discussion or, or vote at, a meeting of the Board, the quorum shall be three.

9. Adjournment of meeting for want of quorum.—If a meeting of the Board could not be held for want of quorum, then the meeting shall automatically stand adjourned till the same day in the next week, at the same time and place, or if that day is a public holiday, till the next succeeding day which is not a public holiday, at the same time and place:—

Provided that where a director is not present at a meeting adjourned for want of quorum, the Chairman shall, before the date to which the meeting stands adjourned, send notice to the director that the meeting was not held on the date for want of quorum.

10. Business by circulation.—(1) A business which is to be transacted by the Board may, if the Chairman so directs, be referred to directors (other than directors who are absent from India) by circulation of papers.

(2) Any business circulated under sub-rule (1) and approved by such number of directors as are necessary to constitute quorum for a meeting of the Board who have recorded

their views in writing shall be as effectual and binding as if such business were decided by the majority of the directors present at a meeting.

(3) A business passed by circulation shall be deemed to be a business passed by the Board on the date it was signed by the last signatory to the business.

(4) If a business is circulated the result of the circulation shall be communicated to all the directors.

(5) All decisions on a question arrived at by circulation of papers shall be placed at the next meeting for record.

11. Records of business.—(1)(a) The minutes of the meetings of the Board shall be kept in book (hereinafter referred to as the Minutes Book).

(b) Every page of the Minutes Book shall be initialled or signed by the Chairman or the directors, as the case may be, who presided at the meeting and last page of the record of proceedings of each meeting of such book shall be dated.

(2) Copies of such minutes shall be forwarded to each director as soon as possible after every meeting.

(3) When a business is transacted by circulation of papers, a record of business so transacted shall be signed by the Chairman and shall be entered in the Minutes Book.

(4) The minutes of each meeting shall be placed before the next meeting for confirmation.

(5) The minutes of meetings kept in accordance with the provisions of these rules shall be evidence of proceedings recorded therein.

[No. F. 12-3/86-RRB(1)]

का.पा. 60—प्रारंभिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 29 द्वारा प्रबल शक्तियों का प्रयोग करने द्वारा, केंद्रीय सरकार, भारतीय रिजर्व बैंक और यूको बैंक के पारम्परा में निम्नलिखित नियम बनाता है, अर्थात् :—

1. संक्षिप्त नाम और प्रारंभ (1) इन नियमों का नाम बैंगनगां द्वेषीय ग्रामीण बैंक (बोर्ड के प्रधिकरण) नियम, 1986 है।

(2) ये नियम में प्रकाशन का तारीख से लागू होंगे।

2. परिभाषा: इन नियमों में, जब तक कि संदर्भ में अन्यथा व्योगिता न हो,—

(क) "प्रधिकरण" से प्रारंभिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) अनुप्रिय है।

(ख) "बैंक" में बैंगनगां-द्वेषीय ग्रामीण बैंक अनुप्रिय है।

(ग) ऐसे भज्जों और पदों के, जो इन नियमों में प्रयुक्त हैं, और परिभाषित नहीं हैं, विनि. अधिनियम में परिभाषित हैं वहाँ अर्थ है, जो उनके अधिनियम में है।

3. बोर्ड के अधिकरणों की स्वतन्त्रता :—एक वर्ष में बोर्ड के कम से कम छह अधिकरण लागू थीं तरह हर नियमों में कम से कम एक अधिकरण होगा।

4. अधिकरणों का संवैज्ञन :—अधिकरणों का संवैज्ञन बोर्ड के प्रधानकार्यालय द्वारा किया जायेगा।

5. अधिकरणों का स्थान :—बोर्ड के अधिकरण बैंक के मुख्य कार्यालय में अधिकारी अधिकारित देश में किसी ऐसे अन्य स्थान पर होंगे, जिसे बोर्ड निर्दिष्ट करें।

6. अधिकरण की सूचना तथा कारबाह का सूचो—(1)(क) बोर्ड के प्रत्येक अधिकरण का मप्पे एवं स्थान कारबाह निर्दिष्ट किया जायेगा।

(ख) बोर्ड के अधिकरण के लिये अधिकारी अधिकारित देश की तारीख में साधारणतः कम से कम पचास दिन की रुचता दी जायेगी।

(2) Where it is necessary to call an urgent meeting of the Board, a notice of not less than seven days shall be given to each director.

7. Special meeting of the Board.—(1) The Chairman shall call a meeting of the Board after a requisition for that purpose has been received by him from not less than four directors.

(2) The requisition shall state the purpose for which the meeting is required to be called.

(3) The meeting shall be called not later than twenty-one days from the date of receipt of the requisition.

8. Quorum for a meeting.—A quorum for a meeting of the Board shall be one-third of the total number of directors or four whichever is higher.

Provided that where by reason of the provision of subsection (4) of section 14 of the Act any director is unable to take part in the discussion of, or vote at, a meeting of the Board, the quorum shall be three.

9. Adjournment of meeting for want of quorum.—If a meeting of the Board could not be held for want of quorum, then the meeting shall automatically stand adjourned till the same day in the next week, at the same time and place, or if that day is a public holiday, till the next succeeding day which is not a public holiday, at the same time and place:—

Provided that where a director is not present at a meeting adjourned for want of quorum, the Chairman shall, before the date to which the meeting stands adjourned, send notice to the director that the meeting was not held on the date for want of quorum.

10. Business by circulation.—(1) A business which is to be transacted by the Board may, if the Chairman so directs, be referred to directors (other than directors who are absent from India) by circulation of papers.

(2) Any business circulated under sub-rule (1) and approved by such number of directors as are necessary to constitute quorum for a meeting of the Board who have recorded their views in writing shall be as effectual and binding as if such business were decided by the majority of the directors present at a meeting.

(3) A business passed by circulation shall be deemed to be a business passed by the Board on the date it was signed by the last signatory to the business.

(4) If a business is circulated the result of the circulation shall be communicated to all the directors.

(5) All decisions on a question arrived at by circulation of papers shall be placed at the next meeting for record.

11. Records of business.—(1) (a) The minutes of the meetings of the Board shall be kept in book (hereinafter referred to as the Minutes Book).

(b) Every page of the Minutes Book shall be initialled or signed by the Chairman or the director, as the case may be, who presided at the meeting and last page of the record of proceedings of each meeting of such book shall be dated.

(2) Copies of such minutes shall be forwarded to each director as soon as possible after every meeting.

(3) When a business is transacted by circulation of papers, a record of business so transacted shall be signed by the Chairman and shall be entered in the Minutes Book.

(4) The minutes of each meeting shall be placed before the next meeting for confirmation.

(5) The minutes of meetings kept in accordance with the provisions of these rules shall be evidence of proceedings recorded therein.

[No. F. 12-3/86-RRB(2)]

का. पा. ८।—प्रादेशिक ग्रामीण बैंक अधिनियम 1976 (1976 का 21) की धारा २९ द्वारा प्रदत्त अनियतों

का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक और स्टेट बैंक बीकानेर एण्ड जयपुर के परामर्श में निम्नलिखित नियम बनाए हैं, अर्थात्—

1. मंक्षिल नाम और प्रारंभ—(1) इन नियमों का नाम बीकानेर क्षेत्रीय ग्रामीण बैंक (बोर्ड के अधिबोधन) नियम 1986 है।

(2) ये राजपत्र में प्रकाशन के तारंख से लागू होंगे।

2. परिभाषा—इन नियमों में, जब तक कि मंदर्म से अन्यथा अपेक्षित न हो—

(क) "अधिनियम" ने प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) अनुमति है।

(ख) "बैंक" से बीकानेर क्षेत्रीय ग्रामीण बैंक अनुमति है।

(ग) ऐसे शब्दों और पदों के, जो इन नियमों में प्रयुक्त हैं और परिभाषित नहीं हैं किन्तु अधिनियम में परिभाषित हैं वही शब्द हैं, जो उनके अधिनियम में हैं।

3. बोर्ड के अधिबोधनों का न्यूनतम संख्या—एक वर्ष में बोर्ड के कम से कम ४ अधिवेशन होंगे और हर तिमाही में कम से कम एक अधिवेशन होगा।

4. अधिवेशनों का संयोजन—अधिवेशनों का संयोजन बोर्ड के अध्यक्ष द्वारा किया जायेगा।

5. अधिवेशनों का स्थान—बोर्ड के अधिवेशन बैंक के मुख्य कारबाह में अथवा अधिसूचित धोत में किसी ऐसे अन्य स्थान पर होंगे, जिसे बोर्ड विनियित करे।

6. अधिवेशन का सूचना तथा कारबाह की सूची—

(1) (क) बोर्ड के प्रत्येक अधिवेशन का समय एवं स्थान अध्यक्ष द्वारा विनियित किया जायेगा।

(ख) बोर्ड के अधिवेशन के लिए प्रत्येक निदेशक को अधिवेशन को तारंख से साधारणतः कम से कम पन्द्रह दिन की सूचना दो जायेगी और प्रत्येक निदेशक को यह सूचना उसके द्वारा इस निमित विनियिट पते पर भेजा जायेगा।

(ग) अधिवेशन में किये जाने के लिए प्रस्तावित कारबाह को सूची उक्त सूचना के साथ हा परिचालित की जायेगी।

(घ) उस कारबाह के सिवाय जिसके लिए अधिवेशन बुलाया गया है, कोई अन्य कारबाह अधिवेशन के अध्यक्ष तथा उपस्थित निवेशकों का बहुसंख्या का सहमति के बिना तब तक नहीं किया जायेगा जब तक कि उस कारबाह के बारे में अध्यक्ष को एक मन्त्रालय को विद्वित गूचना नहीं दे दा गया है।

(2) यदि बोर्ड का आगाम अधिवेशन बुलाना अवश्यक होता है तो प्रत्येक निदेशक को पर्याप्त समय पूर्व सूचना दा जायेगी।

7. बोर्ड का विशेष अधिवेशन—(1) अध्यक्ष, इस प्रयोजन के लिए कम से कम चार निदेशकों से मांग प्राप्त होने पर, बोर्ड का अधिवेशन बुलायेगा।

(2) इस मांग में उस प्रयोजन का उल्लेख होगा, जिसके लिए अधिवेशन बुलाने का अपेक्षा का गया है।

(3) अधिवेशन मासिक प्राप्ति होने की तारीख से 21 दिन के भीतर ही बुलाया जायेगा।

8. बोर्ड के अधिवेशन के लिए गणपूर्ति निदेशकों को कुल मंच्या के एक तिहाई या चार का इनमें से जो अधिक हो, हांगी।

परन्तु जहां इस अधिनियम की धारा 14 का उपचारा (4) के उपबंध के कारण कोई निदेशक बोर्ड के अधिवेशन में विचार-विमर्श में भाग लेने के अव्याप्त मत देने में असमर्थ हो, वहां गणपूर्ति तात्त्व की हांगी।

9. गणपूर्ति न होने के कारण अधिवेशन का स्थगन—यदि बोर्ड का अधिवेशन, गणपूर्ति न होने के कारण नहीं हो सका हो तो अधिवेशन अगले सप्ताह में उसी दिन, उस स्थान एवं समय के लिए, अव्याप्त वह दिन सार्वजनिक अवकाश-दिन हो, तो उसमें अगले दिन, जो सार्वजनिक अवकाश-दिन न हो, उस समय और उसी स्थान के लिए स्वतः स्थगित हो जायेगा।

परन्तु जहां गणपूर्ति न होने के कारण स्थगित अधिवेशन में कोई निदेशक अनुपस्थित रहा हो, वहां अध्यक्ष जिस तारीख तक के लिये अधिवेशन स्थगित हो, उससे पूर्व उस निदेशक को यह सूचना भेजेगा यि: गणपूर्ति न होने के कारण उस तारीख को अधिवेशन नहीं हुआ।

10. परिचालन द्वारा कारबार—(1) यदि अध्यक्ष ऐसा निदेश दे, तो बोर्ड द्वारा किये जाने वाले कारबार को कागजों के परिचालन द्वारा निदेशकों (भारत में बाहर गये निदेशकों से बिल) को निर्दिष्ट किया जा सकता है।

(2) कोई भी कारबार जिसे उन्नियम (1) के अन्तर्गत परिचालित किया गया हो और उन निदेशकों के बहुमत द्वारा अनुमोदित किया जा चुका हो, जिन्होंने अपने विचार-लेखबद्ध किये हों, उसी प्रकार प्रभावी और आवश्यक होमा जमानों ऐसा कारबार अधिवेशन में उपस्थित निदेशकों के बहुमत द्वारा विनियित किया गया हो।

(3) परिचालन द्वारा पारित कोई मामला बोर्ड द्वारा उम सारीख के पारित किया गया माना जायेगा जिस तारीख को उस मामले पर अन्तिम हस्ताक्षरकर्ता ने हस्ताक्षर किये हों।

(4) यदि कार्ड मामला परिचालित किया जाता है तो उम परिचालन परिणाम से सभा निदेशकों को संगृहित किया जायेगा।

(5) कागजों के परिचालन द्वारा किसी प्रश्न पर किये गये ममा तिर्यों को अभिनेत्र के लिए अगले अधिवेशन में रखा जायेगा।

11. कारबार के अभिनेत्र—(1) (क) बोर्ड के अधिवेशनों के कार्यवृत्तों की गुस्तकी (जिन्हें इसमें इसके पश्चात कार्यकृत गुस्तक गढ़ा गया हो) में रखा जायेगा।

(ल) कार्यवृत्त पुस्तक का हर पृष्ठ, प्राप्ति, अध्यक्ष अव्याप्त निवेशक, जिसमें अधिवेशन को अध्यक्षता की हो, द्वारा

अध्यक्षित या हस्ताक्षरित किया जायेगा तथा ऐसे पुस्तक में प्रत्येक अधिवेशन के कार्यवृत्तों के अभिनेत्र के अन्तिम पृष्ठ पर तारीख डालो जायेगी।

(2) प्रत्येक अधिवेशन की समाप्ति के पश्चात यथांग्रे इन कार्यवृत्तों की प्रतियां प्रत्येक निदेशक को भेजो जायेगी।

(3) जब कोई कारबार या कागजों के परिचालन द्वारा किया जाये तो इस प्रकार किये गये कारबार के अभिनेत्र को अध्यक्ष द्वारा हस्ताक्षरित किया जायेगा और कार्यवृत्त पुस्तक में उसको प्रविष्ट को जायगी।

(4) प्रत्येक अधिवेशन के कार्यवृत्त पुस्तक के लिये अगले अधिवेशन में रखे जायेंगे।

(5) अधिवेशनों के वे कार्यवृत्त जो इन नियमों के उपर्योगी के अनुसार रखे जायेंगे, उनमें अभिनिवित कार्यवृत्तों का साक्ष्य होंगे।

[स. एफ. 12-3/86-प्र.र.आर.बी(3)]

S.O. 61.—In exercise of the powers conferred by section 29 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government, after consultation with the Reserve Bank of India and State Bank of Bikaner & Jaipur hereby makes the following rules, namely :—

1. Short title and commencement.—(1) These rules may be called the Bikaner Kshetriya Gramin Bank (Meetings of Board) Rules, 1986.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions :—In these rules, unless the context otherwise requires :—

(a) "Act" means the Regional Rural Banks Act, 1976 (21 of 1976).

(b) "bank" means the Bikaner Kshetriya Gramin Bank.

(c) Words and expressions used herein and not defined but defined in the Act have the meanings, respectively, assigned to them in the Act.

3. Minimum number of meetings of the Board.—The Board shall hold at least six meetings in a year and at least one meeting in every quarter.

4. Convening of meetings.—Meetings of the Board shall be convened by the Chairman.

5. Venue of the meetings :—The meetings of the Board shall be held at the head office of the bank or at such other place in the notified area as the Board may decide.

6. Notice of meeting and list of business :—(1) (a) The Chairman shall decide the time and place of every meeting of the Board.

(b) A notice of not less than fifteen days shall ordinarily be given to every director for a meeting of the Board and the notice shall be sent to every director at the address specified by him in this behalf.

(c) A list of business proposed to be transacted at the meeting shall be circulated alongwith the notice.

(d) No business, other than that for which the meeting was convened, shall be transacted at a meeting of the Board except with the consent of the Chairman of the meeting and a majority of the Directors present unless one week's notice of such business has been given in writing to the Chairman.

(2) Where it is necessary to call an urgent meeting of the Board, a notice of not less than seven days shall be given to each director.

7. Special meeting of the Board :—(1) The Chairman shall call a meeting of the Board after a requisition for that purpose has been received by him from not less than four directors.

(2) The requisition shall state the purpose for which the meeting is required to be called.

(3) The meeting shall be called not later than twenty-one days from the date of receipt of the requisition.

8. Quorum for a meetings :—A quorum for a meeting of the Board shall be one-third of the total number of directors' or four whichever is higher.

Provided that where by reason of the provision of sub-section (4) of section 14 of the Act any director is unable to take part in the discussion of, or vote at, a meeting of the Board, the quorum shall be three.

9. Adjournment of meeting for want of quorum :—If a meeting of the Board could not be held for want of quorum, then the meeting shall automatically stand adjourned till the same day in the next week, at the same time and place, or if that day is a public holiday, till the next succeeding day which is not a public holiday, at the same time and place :—

Provided that where a director is not present at a meeting adjourned for want of quorum, the Chairman shall, before the date to which the meeting stands adjourned, send notice to the director that the meeting was not held on the date for want of quorum.

10. Business by circulation :—(1) A business which is to be transacted by the Board may, if the Chairman so directs, be referred to directors (other than directors who are absent from India) by circulation of papers.

(2) Any business circulated under sub-rule (1) and approved by such number of directors as are necessary to constitute quorum for a meeting of the Board who have recorded their views in writing shall be as effectual and binding as if such business were decided by the majority of the directors present at a meeting.

(3) A business passed by circulation shall be deemed to be a business passed by the Board on the date it was signed by the last signatory to the business.

(4) If a business is circulated the result of the circulation shall be communicated to all the directors.

(5) All decisions on a question arrived at by circulation of papers shall be placed at the next meeting for record.

11. Records of business :—(a) The minutes of the meetings of the Board shall be kept in book (hereinafter referred to as the Minutes Book).

(b) Every page of the Minutes Book shall be initiated or signed by the Chairman or the director, as the case may be, who presided at the meeting and last page of the record of proceedings of each meeting of such book shall be dated.

(2) Copies of such minutes shall be forwarded to each director as soon as possible after every meeting.

(3) When a business is transacted by circulation of papers a record of business so transacted shall be signed by the Chairman and shall be entered in the Minutes Book.

(4) The minutes of each meeting shall be placed before the next meeting for confirmation.

(5) The minutes of meetings kept in accordance with the provisions of these rules shall be evidence of proceedings recorded therein.

[No. F. 12-3/86-RRB (3)]

का. आ. 62.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976

(1976 का 21) का धारा 29 द्वारा प्रदत्त ग्रन्तियाँ का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक और स्टेट बैंक आकांक्षिया के परामर्श से निम्नलिखित नियम बनाते हैं, अर्थात् :—

1. संक्षिप्त नाम और प्रारम्भ

(1) इन नियमों का नाम पिंडीरागढ़ शेतीय ग्रामीण बैंक (बोर्ड के अधिवेशन) नियम, 1986 है।

(2) ये राज्यत में प्रकाशन की तारीख से लागू होंगे।

2. परिभाषा :—इन नियमों में, जब तक कि संवर्ध से अन्यथा अनेकित न हो,—

(क) "अधिनियम" से प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) अनुप्रेत है।

(ख) "वैक्ष" से पिंडीरागढ़ शेतीय ग्रामीण बैंक अनुप्रेत है।

(ग) ऐसे शब्दों और गदों के, जो इन नियमों में प्रयुक्त हैं और परिभाषित नहीं हैं किन्तु अधिनियम में परिभाषित हैं वही अर्थ हैं, जो उनके अधिनियम में हैं।

3. बोर्ड के अधिवेशनों का न्यूनतम संख्या :—एक वर्ष में बोर्ड के कम से कम छह अधिवेशन होंगे और हर तिमाही में कम से कम एक अधिवेशन होगा।

4. अधिवेशनों का संयोजन :—अधिवेशनों का संयोजन बोर्ड के अध्यक्ष द्वारा किया जायेगा।

5. अधिवेशनों का स्थान :—बोर्ड के अधिवेशन बैंक के मुख्य कारबाह में अथवा अधिसूचित क्षेत्र में किसी ऐसे अन्य स्थान पर होंगे, जिसे बोर्ड विनियित करे।

6. अधिवेशन का सूचना तथा कारबाह की सूची :—(1)

(क) बोर्ड के प्रत्येक अधिवेशन का समय एवं स्थान अध्यक्ष द्वारा विनियित किया जायेगा।

(ख) बोर्ड के अधिवेशन के लिये प्रत्येक निवेशक को अधिवेशन को तारीख से भागीदारणतः कम से कम पन्द्रह दिन की सूचना दी जायगी और प्रत्येक निवेशक को यह सूचना उके द्वारा इन नियमों विनियित पते पर भेजी जायेगी।

(ग) अधिवेशन में किसे भागे के लिये प्रस्तावित कारबाह की सूची उत्पन्न की मात्र हो परिचालित की जायेगी।

(घ) उस कारबाह के लिये जिसे अधिवेशन बूझाया गया है, कोई अन्य कारबाह अधिवेशन के शायक्त तथा उपस्थित निवेशकों की बहुसंख्या की सहमति के बिना

तब तक नहीं किया जायेगा जब तक कि उम्म कारबार के बारे में अधिकार की एक सम्पादन की विविध सूचना नहीं मिल दो गयी है।

(2) यदि बोर्ड का ग्रामान्त अधिवेशन बुलाना आवश्यक हो, तो प्रत्येक निवेशक का पर्याप्त अमर्त पूर्व सूचना दी जायेगी।

7. बोर्ड का विषेष अधिवेशन :—(1) अध्यक्ष, इन प्रयोजन के लिये कम से कम चार निवेशकों से भाग प्राप्त होने पर, बोर्ड का अधिवेशन बुलायेगा।

(2) इस मांग में उम्म प्रयोजन का उल्लेख होगा, जिसके लिये अधिवेशन बुलाने की अपेक्षा क गयी है।

(3) अधिवेशन मांग प्राप्त होने को तारीख में 21 दिन के भीतर ही बुलायेगा।

8. बोर्ड के अधिवेशन के लिये गणपूति निवेशकों की कुल संख्या के एक तिहाई या नार के, इनमें से जो अधिक हो, दोर्ती :

परन्तु जहां इस अधिनियम के धारा 14 की उपधारा (4) के उपर्युक्त के कारण कोई निवेशक बोर्ड के अधिवेशन में विचार-विमर्श में भाग लेने के अवधार मत देने में असमर्थ हो, वहां गणपूति तीन की होगी।

9. गणपूति न होने के कारण अधिवेशन का रथगत :—यदि बोर्ड का अधिवेशन, गणपूति न होने के कारण नहीं हो सका है, तो अधिवेशन अगले सप्ताह में उसी दिन, उसी रथगत पर्याप्त समय के लिये, अथवा यदि वह दिन नार्वेजिक अवकाश-दिन हो, तो उससे अगले दिन, जो नार्वेजिक अवकाश-दिन न हो, उसी ममत और उसी स्थान के लिये स्वतः स्थगित हो जायेगा :

परन्तु जहां गणपूति न होने के कारण स्थगित अधिवेशन में कोई निवेशक अनुमति रहा है, वहां अध्यक्ष जिस तारीख तक के लिये अधिवेशन स्थगित हो, उससे पूर्व उस निवेशक को यह सूचना भेजेगा कि गणपूति न होने के कारण उस तारीख को अधिवेशन नहीं हुआ।

10. परिचालन द्वारा कारबार :—(1) यदि अध्यक्ष ऐसा नियम दे, तो वोर्ड द्वारा किये जाने वाले कारबार को कागजों के परिचालन द्वारा निवेशकों (भारत में बाहर गये निवेशकों से भिन्न) को निर्दिष्ट किया जा सकता है।

(2) काई भी कारबार जिसे उपनियम (1) के अन्तर्गत परिचालित किया गया हो, और उन निवेशकों के बहुमत द्वारा अनुमोदित किया जा चुका हो, जिन्होंने अपने विचार लेखदृढ़ किये हों उसी प्रकार प्रभावी और आवश्यकर होगा मानो ऐसा कारबार अधिवेशन में उपस्थित निवेशकों के बहुमत द्वारा विनियित किया गया हो।

(3) परिचालन द्वारा पारित कोई मामला बोर्ड द्वारा उस तारीख को पारित किया गया भावा जागमा यदि तारीख जो उस मामले पर अन्तिम हस्ताक्षरकर्ता में हस्ताक्षर किये हों।

(4) यदि कोई मामला परिचालित किया जाता है तो उस परिचालन परिणाम में सभी निवेशकों को तंत्रज्ञन किया जायेगा।

(5) कागजों के परिचालन द्वारा किसी प्रश्न पर किये गये सभी विर्यों को अभिलेख के लिये इगले अधिवेशन में रखा जायेगा।

11. कारबार के अभिलेख :—(1) (क) बोर्ड के अधिवेशनों के कार्यवृत्तों को पुस्तकों (जिन्हें इसमें हस्ताक्षर कर्ता कार्यवृत्त पुस्तक कहा गया है) में रखा जायेगा।

(ख) कार्यवृत्त पुस्तक का हर पृष्ठ, यथास्थिति, अध्यक्ष अवधार निवेशक, जिसमें अधिवेशन का अध्यक्षता को हो, द्वारा अत्यक्षरित या हस्ताक्षरित किया जायेगा तथा ऐसी पुस्तक में प्रत्येक अधिवेशन को कार्यवाहियों के अभिलेख के अन्तिम पृष्ठ पर तारीख ढाली जायेगी।

(2) प्रत्येक अधिवेशन को समाप्ति के पश्चात् यथार्थ इस कार्यवृत्तों को प्रतियोगी प्रत्येक निवेशक को भेजो जायेगा।

(3) जब कोई कारबार या कागजों के परिचालन द्वारा किया जाये तो इस प्रकार किये गये कारबार के अभिलेख का अध्यक्ष द्वारा हस्ताक्षरित किया जायेगा और कार्यवृत्त पुस्तक में उसको प्रविष्ट की जायेगा।

(4) प्रत्येक अधिवेशन के कार्यवृत्त पुस्तक के लिये इगले अधिवेशन में रखे जायेंगे।

(5) अधिवेशनों के बे कार्यवृत्त, जो इन नियमों के उपर्युक्तों के अनुसार रखे जायेंगे, उनमें अनिलिखित कार्यवाहियों का साक्ष्य होगे।

[सं. पर्याप्ति 12(3)/86-प्रार.प्रार. वा. (4)]

S.O. 62.—In exercise of the powers conferred by section 29 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government, after consultation with the Reserve Bank of India and Vijaya Bank hereby makes the following rules, namely :—

1. Short title and commencement.—(1) These rules may be called the Visveshwarya Grameena Bank (Meetings of Board) Rules, 1986.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—In these rules, unless the context otherwise requires—

(a) "Act" means the Regional Rural Banks Act, 1976 (21 of 1976).

(b) "bank" means the Visveshwarya Grameena Bank.

(c) words and expressions used herein and not defined but defined in the Act have the meanings, respectively, assigned to them in the Act.

3. Minimum number of meetings of the Board.—The Board shall hold at least six meetings in a year and at least one meeting in every quarter.

4. Convening of meetings.—Meetings of the Board shall be convened by the Chairman.

5. Venue of the meetings.—The meetings of the Board shall be held at the head office of the bank or at such other place in the notified area as the Board may decide.

6. Notice of meeting and list of business.—(1)(a) The Chairman shall decide the time and place of every meeting of the Board.

(b) A notice of not less than fifteen days shall ordinarily be given to every director for a meeting of the Board and the notice shall be sent to every director at the address specified by him in this behalf.

(c) A list of business proposed to be transacted at the meeting shall be circulated along-with the notice.

(d) No business, other than that for which the meeting was convened, shall be transacted at a meeting of the Board except with the consent of the Chairman of the meeting and a majority of the Directors present unless one week's notice of such business has been given in writing to the Chairman.

(2) Where it is necessary to call an urgent meeting of the Board, a notice of not less than seven days shall be given to each director.

7. Special meeting of the Board.—(1) The Chairman shall call a meeting of the Board after a requisition for that purpose has been received by him from not less than four directors.

(2) The requisition shall state the purpose for which the meeting is required to be called.

(3) The meeting shall be called not later than twenty-one days from the date of receipt of the requisition.

8. Quorum for a meeting.—A quorum for a meeting of the Board shall be one-third of the total number of directors or four whichever is higher :

Provided that where by reason of the provision of sub-section (4) of section 14 of the Act any director is unable to take part in the discussion of, or vote at, a meeting of the Board, the quorum shall be three.

9. Adjournment of meeting for want of quorum.—If a meeting of the Board could not be held for want of quorum, then the meeting shall automatically stand adjourned till the same day in the next week, at the same time and place, or if that day is a public holiday, till the next succeeding day which is not a public holiday, at the same time and place :

Provided that where a director is not present at a meeting adjourned for want of quorum, the Chairman shall, before the date to which the meeting stands adjourned, send notice to the director that the meeting was not held on the date for want of quorum.

10. Business by circulation.—(1) A business which is to be transacted by the Board may, if the Chairman so directs, be referred to directors (other than directors who are absent from India) by circulation of papers.

(2) Any business circulated under sub-rule (1) and approved by such number of directors as are necessary to constitute quorum for a meeting of the Board who have recorded their views in writing shall be as effectual and binding as if such business were decided by the majority of the directors present at a meeting.

(3) A business passed by circulation shall be deemed to be a business passed by the Board on the date it was signed by the last signatory to the business.

(4) If a business is circulated the result of the circulation shall be communicated to all the directors.

(5) All decisions on a question arrived at by circulation of papers shall be placed at the next meeting for record.

11. Records of business.—(1)(a) The minutes of the meetings of the Board shall be kept in book (hereinafter referred to as the Minutes Book).

(b) Every page of the Minutes Book shall be initialed or signed by the Chairman or the director, as the case may be, who presided at the meeting and last page of the record of

proceedings of each meeting of such book shall be dated.

(2) Copies of such minutes shall be forwarded to each director as soon as possible after every meeting.

(3) When a business is transacted by circulation of papers, a record of business so transacted shall be signed by the Chairman and shall be entered in the Minutes Book.

(4) The minutes of each meeting shall be placed before the next meeting for confirmation.

(5) The minutes of meetings kept in accordance with the provisions of these rules shall be evidence of proceedings recorded therein.

[No. F. 12(3)186-RRB(4)]

का. आ. 63—प्राइवेट ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 29 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक और विजया बैंक के परामर्श ने निम्नलिखित नियम बनाती है, अर्थात् :—

1. संक्षिप्त नाम और प्रारम्भ :

(1) इन नियमों का नाम विश्वेश्वरैया ग्रामीण बैंक (बोर्ड के अधिवेशन) नियम, 1986 है।

(2) ये राजपत्र में प्रकाशन की तारीख से लागू होंगे।

2. परिभाषा : इन नियमों में, जब तक कि संदर्भ से अन्यथा अपेक्षित न हो,—

(क) "अधिनियम" से प्राइवेट ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) अनिवार्य है।

(ख) "बैंक" से विश्वेश्वरैया ग्रामीण बैंक अधिनियम है।

(ग) ऐसे शब्दों और पदों के, जो इन नियमों में प्रयुक्त हैं और परिभाषित नहीं हैं किन्तु अधिनियम में परिभाषित हैं वही अर्थ हैं, जो उनके अधिनियम में हैं।

3. बोर्ड के अधिवेशनों के न्यूनतम मंथा :—एक वर्ष में बोर्ड के कम से कम छह अधिवेशन होंगे और हर तिमाही में कम से कम एक अधिवेशन होंगा।

4. अधिवेशनों का संयोजन :—अधिवेशनों का संयोजन बोर्ड के अध्यक्ष द्वारा किया जायेगा।

5. अधिवेशनों का स्थान :—बोर्ड के अधिवेशन बैंक के मुख्य कार्यालय में अथवा अधिमूलित शेष में किसी ऐसे अन्य स्थान पर होंगे, जिसे बोर्ड विनियित करे।

6. अधिवेशन की मूलता तथा कानूनार की सूची :—
(1)(क) बोर्ड के प्रत्येक अधिवेशन का भवय एवं स्थान अध्यक्ष द्वारा इन नियमों विनियिष्ट पने पर भेजी जायेगा।

(ख) बोर्ड के अधिवेशन के लिये प्रत्येक निदेशक का अधिवेशन का तारीख से माध्यरणतः कम से कम पन्द्रह दिन की मूलता दी जायेगी और प्रत्येक निदेशक को यह मूलता उसके द्वारा इन नियमों विनियिष्ट पने पर भेजी जायेगी।

(ग) अधिवेशन में किये जाने के लिये प्रस्तावित कारबार को सूची उक्त सूचना के साथ ही परिचालित की जायेगा।

(घ) उस कारबार के सिवाय जिसके लिये अधिवेशन बुलाया गया है, कोई और कारबार अधिवेशन के अध्यक्ष तथा उपस्थित निवेशकों का बहुसंख्या को सहमति के बिना तब तक नहीं किया जायेगा जब तक कि उस कारबार के बारे में अध्यक्ष को एक स्वताह के लिये सूचना नहीं दें दी गयी है।

(2) यदि बोर्ड का अपात्र अधिवेशन बुलाना आवश्यक हो तो प्रत्येक निवेशक को पर्याप्त समय पूर्व सूचना दी जायेगी।

7. बोर्ड का विशेष अधिवेशन :—(1) अध्यक्ष, इस प्रयोजन के लिये कम से कम चार निवेशकों से मांग प्राप्त होने पर, बोर्ड का अधिवेशन बुलायेगा।

(2) इस मांग में उस प्रयोजन का उल्लेख होगा, जिसके लिये अधिवेशन बुलाने की अपेक्षा की गयी है।

(3) अधिवेशन मांग प्राप्त होने को तारंख से 21 दिन के भोतर हो बुलाया जायेगा।

8. बोर्ड के अधिवेशन के लिये गणपूर्ति निवेशकों की कुल संख्या के एक तिहाई या चार की, इनमें से जो अधिक हो, होंगी।

परन्तु जहाँ इस अधिनियम की धारा 14 की उपधारा (4) के उपबन्ध के कारण कोई निवेशक बोर्ड के अधिवेशन में विचार-विमर्श में भाग लेने के अध्यवा भत देने में असमर्थ हो, वहाँ गणपूर्ति तीन की होगी।

9. गणपूर्ति न होने के कारण अधिवेशन का स्थगन :— यदि बोर्ड का अधिवेशन, गणपूर्ति न होने के कारण नहीं हो सका हो तो अधिवेशन अगले सप्ताह में उसी दिन, उसी स्थान एवं समय के लिये, अध्यवा यदि वह दिन सार्वजनिक अवकाश-दिन हो, तो उससे अगले दिन, जो सार्वजनिक अवकाश-दिन न हो, उसी समय और उसी स्थान के लिये स्वतः स्थगित हो जायेगा।

परन्तु जहाँ गणपूर्ति न होने के कारण स्थगित अधिवेशन में कोई निवेशक अनुपस्थित रहा हो, वहाँ अध्यवा जिस तारीख तक के लिये अधिवेशन स्थगित हो, उससे पूर्व उस निवेशक को यह सूचना भेजेगा कि गणपूर्ति न होने के कारण उस तारीख को अधिवेशन नहीं हुआ।

10. परिचालन द्वारा कारबार :—(1) यदि अध्यक्ष ऐसा निवेश के, तो बोर्ड द्वारा किये जाने वाले कारबार को कागजों के परिचालन द्वारा निवेशकों (भारत से बाहर गये निवेशकों से भिन्न) को निर्दिष्ट किया जासकता है।

(2) कोई भी कारबार जिसे उपनियम (1) के अन्तर्गत परिचालित किया गया है और उन निवेशकों के बहुमत द्वारा अनुमोदित किया जा चुका हो, जिन्होंने अपने विचार लेखबद्ध किये हों, उसी प्रकार प्रभावों और आवद्धकार होगा मानों

ऐसा कारबार अधिवेशन में उपस्थित निवेशकों के बहुमत द्वारा विनिश्चित किया गया हो।

(3) परिचालन द्वारा पारित कोई मामला बोर्ड द्वारा उस तारीख को पारित किया गया माना जायेगा जिस तारंख को उस मामले पर अन्तिम हस्ताक्षरकर्ता ने हस्ताक्षर किये हों।

(4) यदि कोई मामला परिचालित किया जाता है तो उस परिचालन परिणाम से सभी निवेशकों को संसूचित किया जायेगा।

(5) कागजों के परिचालन द्वारा किसे प्रश्न पर किये गये सभी निर्णयों को अग्रिम लिख के लिये अगले अधिवेशन में रखा जायेगा।

11. कारबार के अग्रिमलिख :—(1)(क) बोर्ड के अधिवेशनों के कार्यवृत्तों को इस्तकों (जिन्हें इसमें इसके पश्चात् कार्यवृत्त पुस्तक कहा गया हो) में रखा जायेगा।

(ख) कार्यवृत्त पुस्तक का हर पृष्ठ, यथास्थिति, अध्यक्ष अथवा निवेशक, जिसमें अधिवेशन को अध्यक्षता को हो, द्वारा अध्यक्षरित या हस्ताक्षरित किया जायेगा तथा ऐसी पुस्तक में प्रत्येक अधिवेशन की कार्यवाहियों के अग्रिमलिख के अन्तिम पृष्ठ पर तारंख डालो जायेगा।

(2) प्रत्येक अधिवेशन की समाप्ति के पश्चात् यथानुग्रह इन कार्यवृत्तों की प्रतिवार प्रत्येक निवेशक को भेजो जायेगो।

(3) जब कोई कारबार या कागजों के परिचालन द्वारा किया जाये तो इस प्रकार किये गये कारबार के अग्रिमलिख का अध्यक्ष द्वारा हस्ताक्षरित किया जायेगा और कार्यवृत्त पुस्तक में उसको प्रविष्टि की जायेगे।

(4) प्रत्येक अधिवेशन के कार्यवृत्त पुस्ति के लिये अगले अधिवेशन में रखे जायेंगे।

(5) अधिवेशनों के वे कार्यवृत्त, जो इन नियमों के उपबन्धों के अनुदार रखे जाएंगे, उनमें अनिवार्यता कार्यवाहियों का साध्य होंगे।

[म. एफ. 12-3/86-भार. भार. वे (5)]

S.O. 63.—In exercise of the powers conferred by section 29 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government, after consultation with the Reserve Bank of India and State Bank of India hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the Pithoragarh Kshetriya Gramin Bank (Meetings of Board) Rules, 1986.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—In these rules, unless the context otherwise requires—

(a) "Act" means the Regional Rural Banks Act, 1976 (21 of 1976).

(b) "bank" means the Pithoragarh Kshetriya Gramin Bank.

(c) words and expressions used herein and not defined but defined in the Act have the meanings respectively, assigned to them in the Act.

3. Minimum number of meetings of the Board.—The Board shall hold at least six meetings in a year and at least one meeting in every quarter.

4. Convening of meetings.—Meetings of the Board shall be convened by the Chairman.

5. Venue of the meetings.—The meetings of the Board shall be held at the head office of the bank or at such other place in the notified area as the Board may decide.

6. Notice of meeting and list of business.—(1)(a) The Chairman shall decide the time and place of every meeting of the Board.

(b) A notice of not less than fifteen days shall ordinarily be given to every director for a meeting of the Board and the notice shall be sent to every director at the address specified by him in this behalf.

(c) A list of business proposed to be transacted at the meeting shall be circulated alongwith the notice.

(d) No business, other than that for which the meeting was convened, shall be transacted at a meeting of the Board except with the consent of the Chairman of the meeting and a majority of the Directors present unless one week's notice of such business has been given in writing to the Chairman.

(2) Where it is necessary to call an urgent meeting of the Board, a notice of not less than seven days shall be given to each director.

7. Special meeting of the Board.—(1) The Chairman shall call a meeting of the Board after a requisition for that purpose has been received by him from not less than four directors.

(2) The requisition shall state the purpose for which the meeting is required to be called.

(3) The meeting shall be called not later than twenty-one days from the date of receipt of the requisition.

8. Quorum for a meeting.—A quorum for a meeting of the Board shall be one-third of the total number of directors or four whichever is higher.

Provided that where by reason of the provision of sub-section (4) of section 14 of the Act any director is unable to take part in the discussion of, or vote at, a meeting of the Board, the quorum shall be three.

9. Adjournment of meeting for want of quorum.—If a meeting of the Board could not be held for want of quorum then the meeting shall automatically stand adjourned till the same day in the next week, at the same time and place or if that day is a public holiday till the next succeeding day which is not a public holiday, at the same time and place:

Provided that where a director is not present at a meeting adjourned for want of quorum, the Chairman shall, before the date to which the meeting stands adjourned, send notice to the director that the meeting was not held on the date for want of quorum.

10. Business by circulation.—(1) A business which is to be transacted by the Board may, if the Chairman so directs be referred to directors (other than directors who are absent from India) by circulation of papers.

(2) Any business circulated under sub-rule (1) and approved by such number of directors as are necessary to constitute quorum for a meeting of the Board who have recorded their views in writing shall be as effectual and binding as if such business were decided by the majority of the directors present at a meeting.

(3) A business passed by circulation shall be deemed to be a business passed by the Board on the date it was signed by the last signatory to the business.

(4) If a business is circulated the result of the circulation shall be communicated to all the directors.

(5) All decisions on a question arrived at by circulation of papers shall be placed at the next meeting for record.

11. Records of business.—(1)(a) The minutes of the meetings of the Board shall be kept in book (hereinafter referred to as the Minutes Book).

(b) Every page of the Minutes Book shall be initialed or signed by the Chairman or the director, as the case may be who presided at the meeting and last page of the record of proceedings of each meeting of such book shall be dated.

(2) Copies of such minutes shall be forwarded to each director as soon as possible after every meeting.

(3) When a business is transacted by circulation of papers, a record of business so transacted shall be signed by the Chairman and shall be entered in the Minutes Book.

(4) The minutes of each meeting shall be placed before the next meeting for confirmation.

(5) The minutes of meetings kept in accordance with the provisions of these rules shall be evidence of proceedings recorded therein.

[No. F. 12-3/86—RRB(5)]

का. आ. 64.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 29 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक और स्टेट बैंक आफ इंडिया के परामर्श से निम्नलिखित नियम बनाती है, अर्थात् :—

1. संस्थित नाम और प्रारंभ :

(1) इन नियमों का नाम गंगा यमुना ग्रामीण बैंक (बोर्ड के अधिवेशन) नियम 1986 है।

(2) ये राजपत्र में प्रकाशन की तारीख में लागू होंगे।

2. परिभाषा :—इन नियमों में, जब तक कि संदर्भ में अन्यथा अपेक्षित न हो,—

(क) “अधिनियम” से प्रादेशिक ग्रामीण बैंक अधिनियम 1976 (1976 का 21) अभिप्रेत है।

(ख) “बैंक” से गंगा यमुना ग्रामीण बैंक अभिप्रेत है।

(ग) ऐसे शब्दों और पदों के, जो इन नियमों में प्रयुक्त हैं और परिभाषित नहीं हैं किन्तु अधिनियम में परिभाषित है वही अर्थ है जो उनके अधिनियम में है।

3. बोर्ड के अधिवेशनों की न्यूनतम संख्या :—एक वर्ष में बोर्ड के कम से कम छह अधिवेशन होंगे और हर तिमाही में कम से कम एक अधिवेशन होगा।

4. अधिवेशनों का संयोजन :—अधिवेशनों का संयोजन बोर्ड के अध्यक्ष द्वारा किया जायेगा।

5. अधिवेशनों का स्थान :—बोर्ड के अधिवेशन बैंक के मुख्य कार्यालय में अथवा अधिसूचित भौत में किसी ऐसे अन्य स्थान पर होंगे, जिसे बोर्ड विनिश्चित करे।

6. अधिवेशन की सूचना तथा कारबार की सूची:—

(1) (क) बोर्ड के प्रत्येक अधिवेशन का समय एवं स्थान अध्यक्ष द्वारा विनिश्चित किया जायगा ।

(ख) बोर्ड के अधिवेशन के लिए प्रत्येक निदेशक को अधिवेशन की तारीख से साधारणतः कम से कम पन्द्रह दिन की सूचना दी जायेगी और प्रत्येक निदेशक को यह सूचना उसके द्वारा इस निमित्त विनिष्ठित पते पर भेजी जायेगी ।

(ग) अधिवेशन में किये जाने के लिए प्रस्तावित कारबार की सूची उक्त सूचना के साथ ही परिचालित की जायेगी ।

(घ) उस कारबार के सिवाय जिसके लिए अधिवेशन बुलाया गया है, कोई अन्य कारबार अधिवेशन के अध्यक्ष तथा उपस्थित निदेशकों की बहुसंख्या की सहमति के बिना तब तक नहीं किया जायेगा जब तक कि उस कारबार के बारे में अध्यक्ष को एक सप्ताह की लिखित सूचना नहीं दी गयी है ।

(2) यदि बोर्ड का आपात अधिवेशन बुलाना आवश्यक हो तो प्रत्येक निदेशक को पर्याप्त समय पूर्व सूचना दी जायेगी ।

7. बोर्ड का विशेष अधिवेशन:—(1) अध्यक्ष, इस प्रयोजन के लिए कम से कम चार निदेशकों से मांग प्राप्त होने पर, बोर्ड का अधिवेशन बुलायेगा ।

(2) इस मांग में उस प्रयोजन का उल्लेख होगा, जिसके लिए अधिवेशन बुलाने की अपेक्षा की गयी है ।

(3) अधिवेशन मांग प्राप्त होने की तारीख से 21 दिन के भीतर ही बुलाया जायेगा ।

8. बोर्ड के अधिवेशन के लिए गणपूर्ति निदेशकों की कुल संख्या के एक तिहाई या चार की, इनमें से जो अधिक हो, होगी :

परन्तु जहां इस अधिनियम की धारा 14 की उपधारा

(4) के उपबंध के कारण कोई निदेशक बोर्ड के अधिवेशन में विचार-विमर्श में भाग लेने के अथवा मत देने में असमर्थ हो, वहां गणपूर्ति तीन की होगी ।

9. गणपूर्ति न होने के कारण अधिवेशन का स्थगन:—यदि बोर्ड का अधिवेशन, गणपूर्ति न होने के कारण नहीं हो सका हो तो अधिवेशन अगले सप्ताह में उसी दिन, उसी स्थान एवं समय के लिए, अथवा यदि वह दिन सार्वजनिक अवकाश-दिन हो, तो उससे अगले दिन, जो सार्वजनिक अवकाश-दिन न हो, उसी समय और उसी स्थान के लिये स्वतः स्थगित हो जायेगा :

परन्तु जहां गणपूर्ति न होने के कारण स्थगित अधिवेशन में कोई निदेशक अनुपस्थित रहा हो, वहां अध्यक्ष जिस तारीख तक के लिये अधिवेशन स्थगित हो, उससे पूर्व उस निदेशक को यह सूचना भेजेगा कि गणपूर्ति न होने के कारण उस तारीख को अधिवेशन नहीं हुआ ।

10. परिचालन द्वारा कारबार:—(1) यदि अध्यक्ष ऐसा निदेश दे, तो बोर्ड द्वारा किये जाने वाले कारबार को कागजों के परिचालन द्वारा निदेशकों (भारत से बाहर गये निदेशकों से भिन्न) को निर्दिष्ट किया जा सकता है ।

(2) कोई भी कारबार जिसे उपनियम (1) के अन्तर्गत पारित किया गया हो और उन निदेशकों के बहुमत द्वारा अनुमोदित किया जा चुका हो, जिन्होंने अपने विचार लेखबद्ध किये हों, उसी प्रकार प्रभावी और शाब्दिकर होगा माना एसा कारबार अधिवेशन में उपस्थित निदेशकों के बहुमत द्वारा विनिश्चित किया गया हो ।

(3) परिचालन द्वारा पारित कोई मामला बोर्ड द्वारा उस तारीख को पारित किया गया माना जायेगा जिस तारीख को उस मामले पर अन्तिम हस्ताक्षर-कर्ता ने हस्ताक्षर किये हों ।

(4) यदि कोई मामला परिचालित किया जाता है तो उस परिचालन परिणाम से सभी निदेशकों को सूचित किया जायेगा ।

(5) कागजों के परिचालन द्वारा किसी प्रश्न पर किय गय सभी निर्णयों को अभिलेख के लिये अगले अधिवेशन में रखा जायेगा ।

11. कारबार के अभिलेख:—(1) (क) बोर्ड के अधिवेशनों के कार्यवृत्तों को पुस्तकों (जिन्हें इसमें इनके पश्चात् कार्यवृत्त पुस्तक कहा गया हो) में रखा जायेगा ।

(ख) कार्यवृत्त पुस्तक का हर पृष्ठ, यथास्थिति, अध्यक्ष अथवा निदेशक, जिसने अधिवेशन की अध्यक्षता की हो, द्वारा आद्यक्षारित या हस्ताक्षरित, किया जायेगा तथा ऐसी पुस्तक में प्रत्येक अधिवेशन की कार्यवाहियों के अभिलेख के अन्तिम पृष्ठ पर तारीख डाली जायेगी ।

(2) प्रत्येक अधिवेशन की समाप्ति के पश्चात् यथाशीघ्र इन कार्यवृत्तों की प्रतियोगी प्रत्येक निदेशक को भजी जायेगी ।

(3) जब कोई कारबार कागजों के परिचालन द्वारा किया जाये तो इस प्रकार किये गये कारबार के अभिलेख को अध्यक्ष द्वारा हस्ताक्षरित किया जायगा और कार्यवृत्त पुस्तक में उसकी प्रविष्टि की जायेगी ।

(4) प्रत्येक अधिवेशन के कार्यवृत्त पुष्टि के लिए प्रगल्प अधिवेशन में रखे जायेंगे ।

(5) अधिवेशनों के वे कार्यवृत्त, जो इन नियमों के उपबंधों के भनुसार रखे जायेंगे, उनमें अभिलिखित कार्यवाहियों का साक्ष्य होगे ।

[सं. एक-12-3/86-आरभारबी(6)]

S.O. 64.—In exercise of the powers conferred by section 29 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government, after consultation with the Reserve Bank of India and State Bank of India hereby makes the following rules, namely.—

1. Short title and commencement.—(1) These rules may be called the Ganga Yamuna Gramin Bank (Meetings of Board) Rules, 1986.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definition.—In these rules, unless the context otherwise requires—

(a) "Act" means the Regional Rural Banks Act, 1976 (21 of 1976).

(b) "bank" means the Ganga Yamuna Gramin Bank.

(c) words and expressions used herein and not defined but defined in the Act have the meanings, respectively, assigned to them in the Act.

3. Minimum number of meetings of the Board.—The Board shall hold at least six meetings in a year and at least one meeting in every quarter.

4. Convening of meetings.—Meetings of the Board shall be convened by the Chairman.

5. Venue of the meetings.—The meetings of the Board shall be held at the head office of the bank or at such other place in the notified area as the Board may decide.

6. Notice of meeting and list of business.—(1)(a) The Chairman shall decide the time and place of every meeting of the Board.

(b) A notice of not less than fifteen days shall ordinarily be given to every director for a meeting of the Board and the notice shall be sent to every director at the address specified by him in this behalf.

(c) A list of business proposed to be transacted at the meeting shall be circulated alongwith the notice.

(d) No business, other than that for which the meeting was convened, shall be transacted at a meeting of the Board except with the consent of the Chairman of the meeting and a majority of the Directors present unless one week's notice of such business has been given in writing to the Chairman.

(2) Where it is necessary to call an urgent meeting of the Board, a notice of not less than seven days shall be given to each director.

7. Special meeting of the Board.—(1) The Chairman shall call a meeting of the Board after a requisition for that purpose has been received by him from not less than four directors.

(2) The requisition shall state the purpose for which the meeting is required to be called.

(3) The meeting shall be called not later than twenty one days from the date of receipt of the requisition.

8. Quorum for a meeting.—A quorum for a meeting of the Board shall be one-third of the total number of directors or four which ever is higher.

Provided that where by reason of the provision of sub-section (4) of section 14 of the Act any director is unable to take part in the discussion of, or vote at, a meeting of the Board, the quorum shall be three.

9. Adjournment of meeting for want of quorum.—If a meeting of the Board could not be held for want of quorum, then the meeting shall automatically stand adjourned till the same day in the next week, at the same time and place or if that day is a public holiday, till the next succeeding day which is not a public holiday, at the same time and place:—

Provided that where a director is not present at a meeting adjourned for want of quorum, the Chairman shall, before the date to which the meeting stands adjourned, send notice to the director that the meeting was not held on the date for want of quorum.

10. Business by circulation.—(1) A business which is to be transacted by the Board may, if the Chairman so directs, be referred to directors (other than directors who are absent from India) by circulation of papers.

(2) Any business circulated under sub-rule (1) and approved by such number of directors as are necessary to constitute quorum for a meeting of the Board who have recorded their views in writing shall be as effectual and binding as if such business were decided by the majority of the directors present at a meeting.

(3) A business passed by circulation shall be deemed to be a business passed by the Board on the date it was signed by the last signatory to the business.

(4) If a business is circulated the result of the circulation shall be communicated to all the directors.

(5) All decisions on a question arrived at by circulation of papers shall be placed at the next meeting for record.

11. Records of business.—(1) (a) The minutes of the meetings of the Board shall be kept in book (hereinafter referred to as the Minutes Book).

(b) Every page of the Minutes Book shall be initialed or signed by the Chairman or the director, as the case may be, who presided at the meeting and last page of the record of proceedings of each meeting of such book shall be dated.

(2) Copies of such minutes shall be forwarded to each director as soon as possible after every meeting.

(3) When a business is transacted by circulation of papers, a record of business so transacted shall be signed by the Chairman and shall be entered in the Minutes Book.

(4) The minutes of each meeting shall be placed before the next meeting for confirmation.

(5) The minutes of meetings kept in accordance with the provisions of these rules shall be evidence of proceedings recorded therein.

[No. F. 12-3/86-RRB(6)]

का. आ. 65 :—प्रादेशिक भारीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 29 द्वारा प्रवर्ती शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक और सेंट्रल बैंक ऑफ इंडिया के परामर्श से निम्नलिखित नियम बनाती है, अर्थात् :—

1. संक्षिप्त नाम और प्रारम्भ :—(1) इन नियमों का नाम भारतीय भौतीय भारीण बैंक (बोर्ड के अधिवेशन) नियम 1986 है।

(2) ये राजपत्र में प्रकाशन की तारीख से लागू होंगे।

2. परिभाषा :—इन नियमों में, जब तक कि संदर्भ से अन्यथा अपेक्षित न हो :—

(क) "अधिनियम" से प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) अभिप्रेत है।

(ख) “बैंक” से ग्वालियर दतिया क्षेत्रीय ग्रामीण बैंक अभिप्रेत है।

(ग) ऐसे शब्दों और पदों के, जो इन नियमों में प्रयुक्त हैं और परिभाषित नहीं हैं किन्तु अधिनियम में परिभाषित है वही अर्थ है, जो उनके अधिनियम में है।

3. बोर्ड के अधिवेशनों की न्यूनतम संख्या :—एक वर्ष में बोर्ड के कम से कम छह अधिवेशन होंगे और हर तिमाही में कम से कम एक अधिवेशन होगा।

4. अधिकारियों का संयोजन :—अधिकारियों का संयोजन बोर्ड के प्रधान द्वारा किया जायेगा।

५ भ्रव वेशनों का स्थान :—बोर्ड के अधिवेशन बैक के मुख्य कार्यालय में अथवा अधिसूचित क्षेत्र में किसी ऐसे अन्य स्थान पर होंगे, जिसे बोर्ड विनियित करे।

6. अधिवेशन की सूचना तथा कारबार की सूची :—(1)
(क) बोर्ड के प्रत्येक अधिवेशन का समय एवं स्थान अध्यक्ष द्वारा विनिर्दित किया जायेगा।

(ख) बोर्ड के अधिकारियों के लिए प्रत्येक निदेशक को अधिकारियों की तारीख से साधारणतः कम से कम पन्द्रह दिन की सूचना दी जायेगी और प्रत्येक निदेशक को यह सूचना उसके द्वारा इस निमित विनिर्दिष्ट पते पर भेजी जायेगी ।

(ग) अधिकारियों में किये जाने के लिए प्रस्तावित कारबाहर की सूची उक्त सूचना के साथ ही परिचालित की जायेगी।

(घ) उस कारबार के सिवाय जिसके लिए अधिवेशन बुलाया गया है, कोई अन्य कारबार अधिवेशन के अध्यक्ष तथा उपस्थित निदेशकों की बहुसंख्या की सहमति के बिना तब तक नहीं किया जायेगा जबतक कि उस कारबार के बारे में अध्यक्ष को एक सप्ताह की लिखित सूचना नहीं दे दी गयी है।

(2) यदि बोर्ड का आपात अधिवेशन बुलाना आवश्यक हो तो प्रत्येक निदेशक को पर्याप्त समय पूर्व सूचना दी जायेगी।

7. बोर्ड का विशेष अधिवेशन :—(1) अध्यक्ष, इस प्रयोजन के लिए कम से कम चार निदेशकों से मांग प्राप्त होने पर बोर्ड का अधिवेशन बलायेगा।

(2) इस मांग में उस प्रयोजन का उल्लेख होगा, जिसके लिए प्रभिक्षेत्र बालाने की अपेक्षा की गयी है।

(3) अधिकेशन मांग प्राप्त होने की तारीख से 21 दिन के भीतर ही बताया जायेगा।

8. बोर्ड के अधिकारियों के तिए गणदूति निदेशकों की कुल संख्या के एक तिहाई या चार की, इनमें से जो अधिक हो, होगी।

परन्तु जहाँ इस अधिनियम की धारा 14 को उपधारा (4) के उपबंध के कारण कोई निदेशक वोर्ड के अधिकार में विचार-विमर्श में भाग लेने के अधिकार मत देने में असमर्थ हो, वहाँ गणपूति तीन की होगी।

9. गणपूर्ति न होने के कारण अधिक्षेपन का स्थगन :—
यदि बोर्ड का अधिक्षेपन, गणपूर्ति न होने के कारण नहीं हो सका हो तो अधिक्षेपन अगले सप्ताह में उसी दिन, उसी स्थान एवं समय के लिए, अवश्य यदि वह दिन सार्वजनिक अवकाश-दिन हो, तो उससे अगले दिन, जो सार्वजनिक अवकाश-दिन न हो, उसी समय और उसी स्थान के लिये स्वतः स्थगित हो जायेगा।

परन्तु जहां गणतान्त्रिका न होने के कारण स्थगित अधिवेशन में कोई निदेशक अनुपस्थित रहा हो, वहां अध्यक्ष जिस तारीख तक के लिये अधिवेशन स्थगित हो, उससे पूर्व उस निदेशक को यह सूचना भेजेगा कि गणतान्त्रिका न होने के कारण उस तारीख को अधिवेशन नहीं होगा।

10. परिचालन द्वारा कारबार :—(1) यदि अध्यक्ष, ऐसा निदेश दे, तो बोर्ड द्वारा किये जाने वाले कारबार को कागजों के परिचालन द्वारा निदेशकों (भारत से बाहर गये निदेशकों से भिन्न) को निर्दिष्ट किया जा सकता है।

(2) कोई भी कारबाहर जिसे उपनियम (1) के अन्तर्गत परिचालित किया गया हो और उन निवेशकों के बहुमत द्वारा अनुमेदित किया जा चुका हो, जिन्हें अपने 'विचार लेखवद्ध किये हों, उसी प्रकार प्रभावी और आवश्यकार होगा मानों ऐसा कारबाहर अधिकेशन में उपस्थित निवेशकों के बहुमत द्वारा विनिश्चित किया गया हो।

(3) परिचालन द्वारा पारित कोई सामला बोर्ड द्वारा उस तारीख को पारित किया गया माना जायेगा जिस तारीख को उस सामने पर अन्तिम हस्ताक्षरकर्ता ने हस्ताक्षर किये हों।

(4) यदि कोई मामला परिचालित किया जाता है तो उस परिचालन परिणाम से सभी निवेशकों को संसूचित किया जायेगा।

(5) कागजों के परिचालन द्वारा किसी प्रश्न पर किये गये सभी निर्णयों को अभिलेख के लिये अगले अधिकावेशन में रखा जायेगा।

11. कारखार के अभिलेख :— (1) (क) बोर्ड के अधिकारियों के कार्यवृत्तों पर पुस्तकों (जिन्हें इसमें इसके पश्चात् कार्यवस्थ पस्तक कहा गया हो) में रखा जायेगा।

(ख) कार्यवृत्त पुस्तक का हर पृष्ठ, यथास्थिति, अध्यक्ष अथवा निदेशक, जिसने अधिवेशन की अध्यक्षता की हो, द्वारा आद्यकारित या हस्ताक्षारित किया जायेगा तथा ऐसी पुस्तक में प्रत्येक अधिवेशन की कार्यवाहियों के अभिलेख के प्रतिम पृष्ठ पर तारीख डाली जायेगी।

(2) प्रत्येक अधिवेशन की समाप्ति के पश्चात् यथाशीघ्र इन कार्यवृत्तों की प्रतियां प्रत्येक निदेशक को भेजी जायेंगी।

(3) जब कोई कारबार या कागजों के परिचालन द्वारा किया जाये तो इस प्रकार किये गये कारबार के अभिलेख की अध्यक्ष द्वारा हस्ताक्षारित किया जायेगा और कार्यवृत्त पुस्तक में उसकी प्रविडिट की जायेगी।

(4) प्रत्यक्ष अधिवेशन के कार्यवृत्त पुस्तक के लिये अगले अधिवेशन में रख जायेंगे।

(5) अधिवेशनों के बां कार्यवृत्त जो इन नियमों के उपर्योगों के अनुसार रखे जायेंगे, उनमें अभिलिखित कार्यवाहियों का साक्ष्य होंग।

[सं. एफ. 12-3/86—ग्रार. ग्रार. वी. (8)]

S.O. 65.—In exercise of the powers conferred by section 29th of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government, after consultation with the Reserve Bank of India and Central Bank of India hereby makes the following rules, namely :—

1. Short title and commencement.—(1) These rules may be called the Gwalior Datia Kshetriya Gramin Bank (Meeting of Board) Rules, 1986.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—In these rules, unless the context otherwise requires—

(a) "Act" means the Regional Rural Banks Act, 1976 (21 of 1976).

(b) "bank" means the Gwalior Datia Kshetriya Gramin Bank.

(c) words and expressions used herein and not defined but defined in the Act have the meaning respectively, assigned to them in the Act.

3. Minimum number of meetings of the Board.—The Board shall hold atleast six meetings in a year and at least one meeting in every quarter.

4. Convening of meetings.—Meetings of the Board shall be convened by the Chairman.

5. Venue of the meetings.—The meetings of the Board shall be held at the head office of the bank or at such other place in the notified area as the Board may decide.

6. Notice of meeting and list of business.—(1) (a) : The Chairman shall decide the time and place of every meeting of the Board.

(b) A notice of not less than fifteen days shall ordinarily be given to every director for a meeting of the Boards and the notice shall be sent to every director at the address specified by him in this behalf.

(c) A list of business proposed to be transacted at the meeting shall be circulated along-with the notice.

(d) No business, other than that for which the meeting was convened, shall be transacted at a meeting of the Board

except with the consent of the Chairman of the meeting and a majority of the Directors present unless one week's notice of such business has been given in writing to the Chairman.

(2) Where it is necessary to call an urgent meeting of the Board, a notice of not less than seven days shall be given to each director.

7. Special meeting of the Board.—(1) The Chairman shall call a meeting of the Board after a requisition for that purpose has been received by him from not less than four directors.

(2) The requisition shall state the purpose for which the meeting is required to be called.

(3) The meeting shall be called not later than twenty-one days from the date of receipt of the requisition.

8. Quorum for a meeting.—A quorum for a meeting of the Board shall be one-third of the total number of directors or four whichever is higher.

Provided that where by reason of the provision of sub-section (4) of section 14 of the Act any director is unable to take part in the discussion of, or vote at, a meeting of the quorum shall be three.

9. Adjournment of meeting for want of quorum.—If a meeting of the Board could not be held for want of quorum, then the meeting shall automatically stand adjourned till the same day in the next week, at the same time and place, or if that day is a public holiday, till the next succeeding day which is not a public holiday, at the same time and place:—

Provided that where a director is not present at a meeting adjourned for want of quorum, the Chairman shall, before the date to which the meeting stands adjourned, send notice to the director that the meeting was not held on the date for want of quorum.

10. Business by circulation.—(1) A business which is to be transacted by the Board may, if the Chairman so directs, be referred to directors (other than directors who are absent from India) by circulation of papers.

(2) Any business circulated under sub-rule (1) and approved by such number of directors as are necessary to constitute quorum for a meeting of the Board who have recorded their views in writing shall be as effectual and binding as if such business were decided by the majority of the directors present at a meeting.

(3) A business passed by circulation shall be deemed to be a business passed by the Board on the date it was signed by the last signatory to the business.

(4) If a business is circulated the result of the circulation shall be communicated to all the directors.

(5) All decisions on a question arrived at by circulation of papers shall be placed at the next meeting for record.

11. Records of business.—(1) (a) The minutes of the meetings of the Board shall be kept in book (hereinafter referred to as the Minutes Book).

(b) Every page of the Minutes Book shall be initialled or signed by the Chairman or the director, as the case may be, who presided at the meeting and last page of the record of proceedings of each meeting of such book shall be dated.

(2) Copies of such minutes shall be forwarded to each director as soon as possible after every meeting.

(3) When a business is transacted by circulation of paper, a record of business so transacted shall be signed by the Chairman and shall be entered in the Minutes Book.

(4) The minutes of each meeting shall be placed before the next meeting for confirmation.

(5) The minutes of meetings kept in accordance with the provisions of these rules shall be evidence of proceedings recorded therein.

का. आ. 65 :—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 29 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक और सेन्ट्रल बैंक भारत इंडिया के परामर्श से निम्नलिखित नियम बनाती है, अस्ति :—

1. संक्षिप्त नाम और प्रारम्भ :—(1) इन नियमों का नाम बुलडाना ग्रामीण बैंक (बोर्ड के अधिवेशन) नियम, 1986 है।

(2) ये राजपत्र में प्रकाशन को तारीख से लागू होंगे।

2. परिभाषा :—इन नियमों में, जब तक कि संदर्भ से अस्थाया अपेक्षित न हो, —

(क) "अधिनियम" से प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) अभिप्रेत है।

(ख) "बैंक" से बुलडाना ग्रामीण बैंक अभिप्रेत है।

(ग) ऐसे शब्दों और पदों के, जो इन नियमों में प्रयुक्त हैं और परिभाषित नहीं हैं किन्तु अधिनियम में परिभाषित है वही अर्थ है, जो उनके अधिनियम में है।

3. बोर्ड के अधिवेशनों की न्यूनतम संख्या :—एक वर्ष में बोर्ड के कम से कम छह अधिवेशन होंगे और हर तिमाही में कम से कम एक अधिवेशन होगा।

4. अधिवेशनों का संयोजन :—अधिवेशनों का संयोजन बोर्ड के अध्यक्ष द्वारा किया जायेगा।

5. अधिवेशनों का स्थान :—बोर्ड के अधिवेशन बैंक के मुख्य कार्यालय में अथवा अधिसूचित क्षेत्र में किसी ऐसे अन्य स्थान पर होंगे, जिसे बोर्ड विनिश्चित करे।

6. अधिवेशन की सूचना तथा कारबार की सूची :—
(1) (क) बोर्ड के प्रत्येक अधिवेशन का समय एवं स्थान अध्यक्ष द्वारा विनिश्चित किया जायेगा।

(ख) बोर्ड के अधिवेशन के लिए प्रत्येक निदेशक को अधिवेशन को तारीख से साधारणतः कम से कम पन्द्रह दिन की सूचना दी जायेगी और प्रत्येक निदेशक को यह सूचना उसके द्वारा इस निमित विनिर्दिष्ट पते पर भेजी जायेगी।

(ग) अधिवेशन में किये जाने के लिए प्रस्तावित कारबार की सूची उक्त सूचना के साथ ही परिचालित की जायेगी।

(घ) उस कारबार के सिवाय जिसके लिए अधिवेशन बुलाया गया है, कोई अन्य कारबार अधिवेशन के अध्यक्ष तथा उपस्थित निदेशकों को बहुसंख्या की सहमति के बिना तब तक नहीं किया जायेगा जब तक कि उस कारबार के बारे में अध्यक्ष को एक सप्ताह की लिखित सूचना नहीं देंदी गयी है।

(2) यदि बोर्ड का आपात अधिवेशन बुलाना आवश्यक हो तो प्रत्येक निदेशक को पर्याप्त समय पूर्व सूचना दी जायेगी।

7. बोर्ड का विशेष अधिवेशन :—(1) अध्यक्ष, इस प्रयोजन के लिए, कम से कम चार निदेशकों से मांग प्राप्त होने पर, बोर्ड का अधिवेशन बुलायेगा।

(2) इस मांग में उस प्रयोजन का उल्लेख होगा, जिसके लिए अधिवेशन बुलाने की अपेक्षा की गयी है।

(3) अधिवेशन मांग प्राप्त होने की तारीख से 21 दिन के भीतर ही बुलाया जायेगा।

8. बोर्ड के अधिवेशन के लिए गणपूर्ति निदेशकों की कुल संख्या के एक तिहाई या चार को, इनमें से जो अधिक हो, होगी।

परन्तु जहां इस अधिनियम की धारा 14 की उपधारा

(4) के उपबंध के कारण कोई निदेशक बोर्ड के अधिवेशन में विचार-विमर्श में भाग लेने में अथवा मत देने में असमर्थ हो, वहां गणपूर्ति तोन की होगी।

9. गणपूर्ति न होने के कारण अधिवेशन का स्थगन :—
यदि बोर्ड का अधिवेशन, गणपूर्ति न होने के कारण नहीं हो सका हो, तो अधिवेशन अगले सप्ताह में उसी दिन, उसी स्थान एवं समय के लिए, अथवा यदि वह दिन सार्वजनिक अवकाश-दिन हो, तो उससे अगले दिन, जो सार्वजनिक अवकाश-दिन न हो, उसी समय और उसी स्थान के लिये स्वतः स्थगित हो जायेगा।

परन्तु जहां गणपूर्ति न होने के कारण स्थगित अधिवेशन में कोई निदेशक अनुपस्थित रहा हो, वहां अध्यक्ष जिस तारीख तक के लिये अधिवेशन स्थगित हो, उससे पूर्व उस निदेशक को यह सूचना भेजेगा कि गणपूर्ति न होने के कारण उस तारीख को अधिवेशन नहीं हुआ।

10. परिचालन द्वारा कारबार :—(1) यदि अध्यक्ष ऐसा निदेश दे, तो बोर्ड द्वारा किये जाने वाले कारबार को कागजों के परिचालन द्वारा निदेशकों (भारत से बाहर गये निदेशकों से भिन्न) को निर्दिष्ट किया जा सकता है।

(2) कोई भी कारबार जिसे उपनियम (1) के अन्तर्गत परिचालित किया गया हो और उन निदेशकों के बहुमत द्वारा अनुमोदित किया जा चुका हो, जिन्होंने अपने विचार लेखबद्ध किये हों, उसी प्रकार प्रभावी और आवश्यकार होगा मानो ऐसा कारबार अधिवेशन में उपस्थित निदेशकों के बहुमत द्वारा विनिश्चित किया गया हो।

(3) परिचालन द्वारा पारित कोई मामला बोर्ड द्वारा उस तारीख को पारित किया गया माना जायेगा जिस तारीख को उस मामले पर अन्तिम हस्ताक्षरकर्ता ने हस्ताक्षर किया हो।

(4) यदि कोई मामला परिचालित किया जाता है तो उस परिचालन परिणाम से सभी निदेशकों को संसूचित किया जायेगा।

(5) कागजों के परिचालन द्वारा किसी प्रश्न पर किये गये सभी निर्णयों को अभिलेख के लिये अगले अधिवेशन में रखा जायेगा।

11. कारबार के अभिलेख :—(1) (क) बोर्ड के अधिवेशनों के कार्यवृत्तों को पुस्तकों (जिन्हें इसमें इसके पश्चात् कार्यवृत्त पुस्तक कहा गया हो) में रखा जायेगा।

(ख) कार्यवृत्त पुस्तक का हर पृष्ठ, यथास्थिति, अध्यक्ष अध्यवा निदेशक, जिसने अधिवेशन को अध्यक्षता की है, द्वारा आदाकारित या हस्ताक्षरित किया जायेगा तथा ऐसी पुस्तक में प्रत्येक अधिवेशन को कार्यवाहियों के अभिलेख के अन्तिम पृष्ठ पर तारोख डाली जायेगी।

(2) प्रत्येक अधिवेशन की समाप्ति के पश्चात् यथाशीघ्र इन कार्यवृत्तों की प्रतियोगी प्रत्येक निदेशक को भेजी जायेगी।

(3) जब कोई कारबार या कागजों के परिचालन द्वारा किया जाये तो इस प्रकार किये गये कारबार के अभिलेख को अध्यक्ष द्वारा हस्ताक्षरित किया जायेगा और कार्यवृत्त पुस्तक में उसको प्रविष्ट की जायेगी।

(4) प्रत्येक अधिवेशन के कार्यवृत्त पुस्तक के लिये अगले अधिवेशन में रखे जायेंगे।

(5) अधिवेशनों के बे कार्यवृत्त, जो इन नियमों के उपर्योग के अनुसार रखे जायेंगे, उनमें अभिलिखित कार्यवाहियों का साक्ष्य होंगे।

[सं. एफ. 12-3/86.—आर. आर. बी. (9)]

S.O. 66.—In exercise of the powers conferred by section 29 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government, after consultation with the Reserve Bank of India and Central Bank of India hereby makes the following rules, namely :—

1. Short title and commencement.—(1) These rules may be called the Buldhana Gramin Bank (Meetings of Board) Rules, 1986.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—In these rules, unless the context otherwise requires—

(a) "Act" means the Regional Rural Banks Act, 1976 (21 of 1976).

(b) "bank" means the Buldhana Gramin Bank.

(c) words and expressions used herein and not defined but defined in the Act have the meaning respectively, assigned to them in the Act.

3. Minimum number of meetings of the Board.—The Board shall hold atleast six meetings in a year and at least one meeting in every quarter.

4. Convening of meetings.—Meetings of the Board shall be convened by the Chairman.

5. Venue of the meetings.—The meetings of the Board shall be held at the head office of the bank or at such other place in the notified area as the Board may decide.

6. Notice of meeting and list of business.—(1) (a) : The Chairman shall decide the time and place of every meeting of the board.

(b) A notice of not less than fifteen days shall ordinarily be given to every director for a meeting of the Board

and the notice shall be sent to every director at the address specified by him in this behalf.

(c) A list of business proposed to be transacted at the meeting shall be circulated along-with the notice.

(d) No business, other than that for which the meeting was convened, shall be transacted at a meeting of the Board except with the consent of the Chairman of the meeting and a majority of the Directors present unless one week's notice of such business has been given in writing to the Chairman.

(2) Where it is necessary to call an urgent meeting of the Board, a notice of not less than seven days shall be given to each director.

7. Special meeting of the Board.—(1) The Chairman shall call a meeting of the Board after a requisition for that purpose has been received by him from not less than four directors.

(2) The requisition shall state the purpose for which the meeting is required to be called.

(3) The meeting shall be called not later than twenty-one days from the date of receipt of the requisition.

8. Quorum for a meeting.—A quorum for a meeting of the Board shall be one-third of the total number of directors or four whichever is higher.

Provided that where by reason of the provision of sub-section (4) of section 14 of the Act any director is unable to take part in the discussion of, or vote at, a meeting of the quorum shall be three.

9. Adjournment of meeting for want of quorum.—If a meeting of the Board could not be held for want of quorum, then the meeting shall automatically stand adjourned till the same day in the next week, at the same time and place, or if that day is a public holiday, till the next succeeding day which is not a public holiday, at the same time and place:—

Provided that where a director is not present at a meeting adjourned for want of quorum, the Chairman shall, before the date to which the meeting stands adjourned, send notice to the director that the meeting was not held on the date for want of quorum.

10. Business by circulation.—(1) A business which is to be transacted by the Board may, if the Chairman so directs, be referred to directors (other than directors who are absent from India) by circulation of papers.

(2) Any business circulated under sub-rule (1) and approved by such number of directors as are necessary to constitute quorum for a meeting of the Board who have recorded their views in writing shall be as effectual and binding as if such business were decided by the majority of the directors present at a meeting.

(3) A business passed by circulation shall be deemed to be a business passed by the Board on the date it was signed by the last signatory to the business.

(4) If a business is circulated the result of the circulation shall be communicated to all the directors.

(5) All decisions on a question arrived at by circulation of papers shall be placed at the next meeting for record.

11. Records of business.—(1) (a) The minutes of the meetings of the Board shall be kept in book (hereinafter referred to as the Minutes Book).

(b) Every page of the Minutes Book shall be initialled or signed by the Chairman or the director, as the case may be, who presided at the meeting and last page of the record of proceedings of each meeting of such book shall be dated.

(2) Copies of such minutes shall be forwarded to each director as soon as possible after every meeting.

(3) When a business is transacted by circulation of papers, a record of business so transacted shall be signed by the Chairman and shall be entered in the Minutes Book.

(4) The minutes of each meetings shall be placed before the next meeting for confirmation.

(5) The minutes of meetings kept in accordance with the provisions of these rules shall be evidence of proceedings recorded therein.

[No. F. 12-3/86-RRB(9)]

का० आ. 67.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 29 द्वारा प्रदत्त शक्तियों का प्रयोग करने द्वारा, केन्द्रीय सरकार, भारतीय रिजर्व बैंक और स्टेट बैंक अॅफ इंडिया के परामर्श में निम्ननिम्नित नियम बनानी है, अर्थात्:—

1. संधित नाम और प्रारम्भ

(1) इन नियमों का नाम पर्वतीय ग्रामीण बैंक (बोर्ड के अधिवेशन) नियम 1986 है।

(2) ये गजपत्र में प्रकाशन की तारीख से लागू होंगे।

2. परिमाणः इन नियमों में, जब तक कि संदर्भ से अन्यथा अपेक्षित नहीं है—

(क) "अधिनियम" में प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) अधिप्रेत है।

(ख) "बैंक" में पर्वतीय ग्रामीण बैंक अधिप्रेत है।

(ग) ऐसे शब्दों और पदों के, जो इन नियमों में प्रयुक्त हैं और परिभाषित नहीं हैं, किन्तु अधिनियम में परिभाषित हैं वही अर्थ हैं, जो उनके अधिनियम में हैं।

3. बोर्ड के अधिवेशनों की न्यूनतम संख्या: एक वर्ष में बोर्ड के कम से कम छह अधिवेशन होंगे और हर निमाही में कम से कम एक अधिवेशन होंगा।

4. अधिवेशनों का संयोजनः अधिवेशनों का संयोजन बोर्ड के अध्यक्ष द्वारा किया जायेगा।

5. अधिवेशनों का स्थानः बोर्ड के अधिवेशन बैंक के मुख्य कार्यालय में अथवा अधिवृत्ति थेवर में किसी ऐसे स्थान पर होंगे, जिसे बोर्ड विनियित करे।

6. अधिवेशन की सूचना तथा कारबाह की सूचीः

(1) (क) बोर्ड के प्रत्येक अधिवेशन का समय एवं स्थान अध्यक्ष द्वारा विनियित किया जायेगा।

(ख) बोर्ड के अधिवेशन के लिए प्रत्येक निदेशक को अधिवेशन की तारीख में साधारणतः कम से कम पन्द्रह दिन की सूचना दी जायेगी और प्रत्येक निदेशक को यह सूचना उसके द्वारा इस निमित्त विनिर्दिष्ट पते पर भेजी जायेगी।

(ग) अधिवेशन में किये जाने के लिए प्रस्तावित कारबाह की सूची उस सूचना के साथ ही परिचालित की जायेगी।

(घ) उस कारबाह के गिराव जिसके लिए अधिवेशन बुलाया गया है, कोई अन्य कारबाह अधिवेशन के

प्रध्यन्त तथा उपमिति निदेशकों की बहुसंख्या की महसूति के बिना नव तक नहीं किया जायेगा जब तक कि उस कारबाह के बारे में अध्यक्ष को एक स्पष्टाह की विवित सूचना नहीं दे दी गयी है।

(2) यदि बोर्ड का आपात अधिवेशन बुलाना आवश्यक हो तो प्रत्येक निदेशक को पर्याप्त समय पूर्व सूचना दी जायेगी।

7. बोर्ड का विशेष अधिवेशनः (1) अद्यतः इस प्रयोजन के लिए कम से कम चार निदेशकों ने मांग प्राप्त होने पर, बोर्ड का अधिवेशन बुलायेगा।

(2) इस मांग में उस प्रयोजन का उल्लेख होगा, जिसके लिए अधिवेशन बुलाने की अपेक्षा की गयी है।

(3) अधिवेशन मांग प्राप्त होने की तारीख से 21 दिन के भीतर ही बुलाया जायेगा।

8. बोर्ड के अधिवेशन के लिए गणपूर्ति निदेशकों की कुल संख्या के एक विहारी या चार की, इनमें से जो अधिक हो, होंगी।

परन्तु जहां इस अधिनियम की धारा 14 की उल्लंघन

(4) के उपर्युक्त कारण कोई निदेशक बोर्ड के अधिवेशन में विचार-विमर्श में भाग लेने के अव्यवहार मत देने में असमर्थ हो, वहां गणपूर्ति तीन की होगी।

9. गणपूर्ति न होने के कारण अधिवेशन का स्थगितः—यदि बोर्ड का अधिवेशन, गणपूर्ति न होने के कारण नहीं हो सका हो तो अधिवेशन अगले सप्ताह में उसी दिन, उसी स्थान एवं समय के लिए अव्यवहार यदि वह दिन सार्वजनिक अवकाश-दिन हो, तो उसमें अगले दिन, जो सार्वजनिक अवकाश-दिन न हो, उसी समय और उसी स्थान के लिये स्थगित हो जायेगा।

परन्तु जहां गणपूर्ति न होने के कारण स्थगित अधिवेशन में कोई निदेशक अनुमति रहा हो, वहां अध्यक्ष जिस तारीख तक के लिये अधिवेशन स्थगित हो, उसमें पूर्व उस निदेशक को यह सूचना भेजेगा कि गणपूर्ति न होने के कारण उस तारीख को अप्रिवेशन नहीं दृश्य।

10. परिचालन द्वारा कारबाहः (1) यदि अध्यक्ष ऐसा निदेश दे, तो बोर्ड द्वारा किये जाने वाले कारबाह को कागजों के परिचालन द्वारा निदेशकों (भारत में बोर्ड गये निदेशकों से भिन्न) को निर्दिष्ट किया जा सकता है। (2) कोई भी कारबाह जिसे उपनियम (1) के अन्तर्गत परिचालित किया गया हो और उस निदेशकों के बहुमत द्वारा अनुमोदित किया जा सका हो, जिस्होंने प्राप्त विचार लेख बढ़ा किये हो, उसी प्रकार प्रभावी और ग्रावड़कार होगा मानो ऐसा कारबाह अधिवेशन में उपमिति निदेशकों के बहुमत द्वारा विनियित किया गया हो।

(3) परिचालन द्वारा पारित कोई मामला बोर्ड द्वारा उम नारीत को पारित किया गया माना जायेगा जिस तारीख को उस मामले पर अंतिम हस्ताक्षरकर्ता ने हस्ताक्षर किये हों।

(4) यदि कोई मामला परिचालित किया जाता है तो उम परिचालन परिणाम में मभी निदेशकों को संसूचित किया जायेगा।

(5) कागजों के परिचालन द्वारा किसी प्रण पर किये गये मभी निर्णयों को अभिलेख के लिये अगले अधिवेशन में द्वारा जायेगा।

11. कारबाह के अभिनेत्र (1)(क) बोर्ड के अधिवेशनों के कार्यवृत्तों को पुस्तकों (जिन्हें इसमें इसके पश्चात् कार्यवृत्त पुस्तक कहा गया हो) में रखा जायगा। (ख) कार्यवृत्त पुस्तक का हर पृष्ठ, यथास्थिति, अध्यक्ष अध्यक्ष निदेशक, जिसमें अधिवेशन की अध्यक्षता की हो, द्वारा आष्टाक्षरित या हस्ताक्षरित किया जायेगा तथा ऐसी पुस्तक में प्रत्येक अधिवेशन की कार्यवाहियों के अभिलेख के अंतिम पृष्ठ पर नारीत छानी जायेगी।

(2) प्रत्येक अधिवेशन की समाप्ति के पश्चात् यथास्थिति इन कार्यवृत्तों की प्रतियोगी प्रत्येक निदेशक को भेजी जायेगी।

(3) जब बोर्ड कारबाह या कागजों के परिचालन द्वारा किया जाये तो इस प्रकार किये गये कारबाह के अभिनेत्र की अध्यक्ष द्वारा हस्ताक्षरित किया जायेगा और कार्यवृत्त पुस्तक में उसकी प्रविष्टि की जायेगी।

(4) प्रत्येक अधिवेशन के कार्यवृत्त गुटि के लिये अगले अधिवेशन में रखे जायेंगे।

(5) अधिवेशनों के वे कार्यवृत्त, जो इन नियमों के उपर्योगी के अनुमार रखे जायेंगे, उनमें अभिलेखित कार्यवाहियों का माध्य होगे।

[प. एफ. 12-3/86-प्रारंभी (10)]

S.O. 67.—In exercise of the powers conferred by section 29 of the Regional Rural Banks, Act, 1976 (21 of 1976), the Central Government after consultation with the Reserve Bank of India and State Bank of India hereby makes the following rules, namely :—

1. Short title and commencement.—(1) These rules may be called the Parvatiya Gramin Bank (Meetings of Board) Rules, 1986.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—In these rules, unless the context otherwise requires—

(a) "Act" means the Regional Rural Banks Act, 1976 (21 of 1976).

(b) "bank" means the Parvatiya Gramin Bank.

(c) words and expressions used herein and not defined but defined in the Act have the meanings, respectively, assigned to them in the Act.

3. Minimum number of meetings of the Board.—The Board shall hold at least six meetings in a year and at least one meeting in every quarter.

4. Convening of meetings—Meetings of the Board shall be convened by the Chairman.

5. Venue of the meetings—The meetings of the Board shall be held at the head office of the bank or at such other place in the notified area as the Board may decide.

6. Notice of meeting and list of business.—(1) (a) The Chairman shall decide the time and place of every meeting of the Board.

(b) A notice of not less than fifteen days shall ordinarily be given to every director for a meeting of the Board and the notice shall be sent to every director at the address specified by him in this behalf.

(c) A list of business proposed to be transacted at the meeting shall be circulated alongwith the notice.

(d) No business, other than that for which the meeting was convened, shall be transacted at a meeting of the Board except with the consent of the Chairman of the meeting and a majority of the Directors present unless one week's notice of such business has been given in writing to the Chairman.

(2) Where it is necessary to call an urgent meeting of the Board, a notice of not less than seven days shall be given to each director.

7. Special meeting of the Board—(1) The Chairman shall call a meeting of the Board after a requisition for that purpose has been received by him from not less than four directors.

(2) The requisition shall state the purpose for which the meeting is required to be called.

(3) The meeting shall be called not later than twenty-one days from the date of receipt of the requisition.

8. Quorum for a meeting—A quorum for a meeting of the Board shall be one-third of the total number of directors or four whichever is higher.

Provided that where by reason of the provision of sub-section (4) of section 14 of the Act any director is unable to take part in the discussion of, or vote at, a meeting of the Board, the quorum shall be three.

9. Adjournment of meeting for want of quorum—If a meeting of the Board could not be held for want of quorum, then the meeting shall automatically stand adjourned till the same day in the next week, at the same time and place, or if that day is a public holiday, till the next succeeding day which is not a public holiday, at the same time and place :—

Provided that where a director is not present at a meeting adjourned for want of quorum, the Chairman shall, before the date to which the meeting stands adjourned, send notice to the director that the meeting was not held on the date for want of quorum.

10. Business by circulation—(1) A business which is to be transacted by the Board may, if the Chairman so directs, be referred to directors (other than directors who are absent from India) by circulation of papers.

(2) Any business circulated under sub-rule (1) and approved by such number of directors as are necessary to constitute quorum for a meeting of the Board who have recorded their views in writing shall be as effectual and binding as if such business were decided by the majority of the directors present at a meeting.

(3) A business passed by circulation shall be deemed to be a business passed by the Board on the date it was signed by the last signatory to the business.

(4) If a business is circulated the result of the circulation shall be communicated to all the directors.

(5) All decisions on a question arrived at by circulation of papers shall be placed at the next meeting for record.

11. Records of business—(1) (a) The minutes of the meetings of the Board shall be kept in book (hereinafter referred to as the Minutes Book).

(b) Every page of the Minutes Book shall be initialled or signed by the Chairman or the director, as the case may be, who presided at the meeting and last page of the record of proceedings of each meeting of such book shall be dated.

(2) Copies of such minutes shall be forwarded to each director as soon as possible after every meeting.

(3) When a business is transacted by circulation of papers, a record of business so transacted shall be signed by the Chairman and shall be entered in the Minutes Book.

(4) The minutes of each meeting shall be placed before the next meeting for confirmation.

(5) The minutes of meetings kept in accordance with the provisions of these rules shall be evidence of proceedings recorded therein.

[No. F. 12-3/86-RRB (10)]

का. आ. 68.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 29 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक और इण्डियन बैंक के प्रामाण से निम्नलिखित नियम बनाती है। अर्थात्:—

1. संक्षिप्त नाम और प्रारम्भ

(1) इन नियमों का नाम अधीयमान ग्राम्य बैंक (बोर्ड के अधिवेशन) नियम 1986 है।

(2) ये राजपत्र में प्रकाशन की तारीख से लागू होंगे।

2. परिभाषा: इन नियमों में, जब तक कि संदर्भ से अन्यथा अपेक्षित न हो,—

(क) "अधिनियम" से प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) अभिप्रेत है।

(ख) "बैंक" से अधीयमान ग्राम्य बैंक अभिप्रेत है।

(ग) ऐसे शब्दों और पदों के, जो इन नियमों में प्रयुक्त हैं और परिभाषित नहीं हैं किन्तु अधिनियम में परिभाषित हैं वहीं अर्थ हैं, जो उनके अधिनियम में हैं।

3. बोर्ड के अधिवेशनों की न्यूनतम संख्या; एक वर्ष में बोर्ड के कम से कम छह अधिवेशन होंगे और हर तिमाही में कम से कम एक अधिवेशन होगा।

4. अधिवेशनों का संयोजन: अधिवेशनों का संयोजन बोर्ड के अध्यक्ष द्वारा किया जायेगा।

5. अधिवेशनों का स्थान: बोर्ड के अधिवेशन बैंक के मुख्य कार्यालय में अथवा अधिसूचित क्षेत्र में किसी ऐसे अन्य स्थान पर होंगे, जिसे बोर्ड विनियित करे।

6. अधिवेशन की सूचना तथा कारबाह की सूची: (1) (क) बोर्ड के प्रत्येक अधिवेशन का समय एवं स्थान अध्यक्ष द्वारा विनियित किया जायेगा।

(ख) बोर्ड के अधिवेशन के लिए प्रत्येक निवेशक को

अधिवेशन की तारीख से साधारणतः कम से कम पन्द्रह दिन की सूचना दी जायेगी और प्रत्येक निवेशक को यह सूचना उसके द्वारा इस निर्मित विनिर्दिष्ट पते पर भेजी जायेगी।

(ग) अधिवेशन में किये जाने के लिए प्रस्तावित कारबाह की सूची उक्त सूचना के साथ ही परिचालित की जायेगी।

(घ) उस कारबाह के मिवाय जिसके लिये अधिवेशन बुलाया गया है, कोई अन्य कारबाह अधिवेशन के अध्यक्ष तथा उपस्थित निवेशकों की बहुमत्याका महसूति के बिना तब तक नहीं किया जायेगा जब तक कि उस कारबाह के बारे में अध्यक्ष को एक सप्ताह की विवित गृहना नहीं दी गयी है।

(2) परिवोर्ड का अपात अधिवेशन बुलाना आवश्यक हो तो प्रत्येक निवेशक को पर्याप्त समय पूर्व सूचना दी जायेगी।

7. बोर्ड का विशेष अधिवेशन: (1) अध्यक्ष, इस प्रयोजन के लिए कम से कम चार निवेशकों से मांग प्राप्त होने पर बोर्ड का अधिवेशन बुलायेगा।

(2) इस मांग में उस प्रयोजन का उल्लेख होगा, जिसके लिए अधिवेशन बुलाने की अपेक्षा की गयी है।

(3) अधिवेशन मांग प्राप्त होने की तारीख से 21 दिन के भीतर ही बुलाया जायेगा।

8. बोर्ड के अधिवेशन के लिए गणपूर्ति निवेशकों की कुल मंख्या के एक नियाइ या चार की, इनमें से जो अधिक हो, ही होगी।

परन्तु जहाँ इस अधिनियम की धारा 14 की उपधारा

(4) के उपर्युक्त के कारण कोई निवेशक बोर्ड के अधिवेशन में विचारन-विमर्श में भाग लेने के अथवा मत देने में असमर्थ हो, वहाँ गणपूर्ति तीन की होगी।

9. गणपूर्ति न होने के कारण अधिवेशन का स्थगित: याद बोर्ड का अधिवेशन, गणपूर्ति न होने के कारण नहीं हो सका हो तो अधिवेशन अगले सप्ताह में उसी दिन, उसी स्थान एवं समय के लिए, अथवा यदि वह दिन सार्वजनिक अवकाश दिन हो, तो उससे अगले दिन, जो सार्वजनिक अवकाश-दिन न हो, उसी समय और उसी स्थान के लिये स्वतः स्थगित हो जायेगा।

परन्तु जहाँ गणपूर्ति न होने के कारण स्थगित अधिवेशन में कोई निवेशक अनुपस्थित रहा हो, वहाँ अध्यक्ष जिस तारीख तक के लिये अधिवेशन स्थगित हो, उसमें पूर्व उस निवेशक को यह सूचना भेजेगा कि गणपूर्ति न होने के कारण उस तारीख को अधिवेशन नहीं हुआ।

10. परिचालन द्वारा कारबाह. (1) यदि अध्यक्ष ऐसा फिर्ता हो, तो बोर्ड द्वारा किये जाने वाले कारबाह का कागजों के परिचयन द्वारा निवेशकों (भारत में आहुर गये निवेशकों न मिश) को विनिर्दिष्ट किया जा सकता है। (2) कोई भी कारबाह जिसे उपनियम (1) के अन्वयत परिचालित किया गया हो, उस निवेशकों के बहुमत द्वारा अनुमोदित किया

जा चुका हो, जिन्होने अपने विचार लेखबद्ध किये हों, उसी प्रकार प्रभावी और आवश्यक होंगा मानो ऐसा कारबाह अधिवेशन में उपिधन निर्देशकों के बहुमत द्वारा विनिश्चित किया गया हो।

(3) परिचालन द्वारा पालित कोई मामला बोर्ड द्वारा उस तारीख को पारित किया गया मानो जायेगा जिस तारीख को उस मामले पर अनिम हस्ताक्षरकर्ताओं ने हस्ताक्षर किये हों।

(4) यदि कोई मामला परिचालित किया जाता है तो उन परिचालन परिणाम में सभी निर्देशकों की संमूचित किया जायेगा।

(5) कागजों के परिचालन द्वारा किसी प्रश्न पर किये गये गभी विवेदों को अभिलेख के लिये अगले अधिवेशन में रखा जायेगा।

11. कागजों के अभिलेख : (1) (क) बोर्ड के अधिवेशनों के कार्यवृत्तों को पुस्तकों (जिन्हें इसमें इसके पश्चात् कार्यवृत्त पुस्तक कहा गया हो) से रखा जायेगा।

(ब) कार्यवृत्त पुस्तक का हर पृष्ठ, यथास्थिति, अध्यक्ष अवधारित निर्देशक, जिसमें अधिवेशन की अध्यक्षता की हो, द्वारा प्रादृश्यार्थित या हस्ताक्षरित किया जायगा तथा ऐसी पुस्तक में प्रत्येक अधिवेशन की कार्यवाहियों के अभिलेख के अंतिम पृष्ठ पर तारोंब डाली जायेगी।

(2) प्रत्येक अधिवेशन की समाप्ति के पश्चात् यथास्थिति द्वारा कार्यवृत्तों को प्रतिया प्रत्येक निर्देशक को भेजी जायेगी।

(3) जब कोई कारबाह या कागजों के परिचालन द्वारा किया जाये तो इस प्रकार किये गये कारबाह के अभिलेख की अध्यक्ष द्वारा हस्ताक्षरित किया जायेगा और कार्यवृत्त पुस्तक में उसकी प्रविष्टि की जायेगी।

(4) प्रत्येक अधिवेशन के कार्यवृत्त पुस्तक के लिये अगले अधिवेशन में रखे जायेंगे।

(5) अधिवेशनों के बे कार्यवृत्त, जो इन नियमों के उपर्योग के अनुसार रखे जायेंगे, उनमें अभिलिखित कार्यवाहियों का साम्बन्ध होगे।

[स. एफ. 12-3/86-पारप्रारबी (11)]

S.O. 68.—In exercise of the powers conferred by section 29 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government after consultation with the Reserve Bank of India and Indian Bank hereby makes the following rules, namely :—

1. Short title and commencement.—(1) These rules may be called the Adhiyaman Grama Bank (Meetings of Board) Rules, 1986.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—In these rules, unless the context otherwise requires—

(a) "Act" means the Regional Rural Banks Act, 1976 (21 of 1976).

(b) "bank" means the Adhiyaman Grama Bank.

(c) words and expressions used herein and not defined but defined in the Act have the meanings, respectively, assigned to them in the Act.

3. Minimum number of meetings of the Board—The Board shall hold at least six meetings in a year and at least one meeting in every quarter.

4. Convening of meetings—Meetings of the Board shall be convened by the Chairman.

5. Venue of the meetings—The meetings of the Board shall be held at the head office of the bank or at such other place in the notified area as the Board may decide.

6. Notice of meeting and list of business.—(1) (a) The Chairman shall decide the time and place of every meeting of the Board.

(b) A notice of not less than fifteen days shall ordinarily be given to every director for a meeting of the Board and the notice shall be sent to every director at the address specified by him in this behalf.

(c) A list of business proposed to be transacted at the meeting shall be circulated alongwith the notice.

(d) No business, other than that for which the meeting was convened, shall be transacted at a meeting of the Board except with the consent of the Chairman of the meeting and a majority of the Directors present unless one week's notice of such business has been given in writing to the Chairman.

(2) Where it is necessary to call an urgent meeting of the Board, a notice of not less than seven days shall be given to each director.

7. Special meeting of the Board—(1) The Chairman shall call a meeting of the Board after a requisition for that purpose has been received by him from not less than four directors.

(2) The requisition shall state the purpose for which the meeting is required to be called.

(3) The meeting shall be called not later than twenty-one days from the date of receipt of the requisition.

8. Quorum for a meeting—A quorum for a meeting of the Board shall be one-third of the total number of directors or four whichever is higher.

Provided that where by reason of the provision of sub-section (4) of section 14 of the Act any director is unable to take part in the discussion of, or vote at, a meeting of the Board, the quorum shall be three.

9. Adjournment of meeting for want of quorum—If a meeting of the Board could not be held for want of quorum, then the meeting shall automatically stand adjourned till the same day in the next week, at the same time and place, or if that day is a public holiday, till the next succeeding day which is not a public holiday, at the same time and place :—

Provided that where a director is not present at a meeting adjourned for want of quorum, the Chairman shall, before the date to which the meeting stands adjourned, send notice to the director that the meeting was not held on the date for want of quorum.

10. Business by circulation—(1) A business which is to be transacted by the Board may, if the Chairman so directs, be referred to directors (other than directors who are absent from India) by circulation of papers.

(2) Any business circulated under sub-rule (1) and approved by such number of directors as are necessary to constitute quorum for a meeting of the Board who have recorded their views in writing shall be as effectual and binding as if such business were decided by the majority of the directors present at a meeting.

(3) A business passed by circulation shall be deemed to be a business passed by the Board on the date it was signed by the last signatory to the business.

(4) If a business is circulated the result of the circulation shall be communicated to all the directors.

(5) All decisions on a question arrived at by circulation of papers shall be placed at the next meeting for record.

11. Records of business—(1) (a) The minutes of the meeting of the Board shall be kept in book (hereinafter referred to as the Minutes Book).

(b) Every page of the Minutes Book shall be initialed or signed by the Chairman or the director, as the case may be, who presided at the meeting and last page of the record of proceedings of each meeting of such book shall be dated.

(2) Copies of such minutes shall be forwarded to each director as soon as possible after every meeting.

(3) When a business is transacted by circulation of papers, a record of business so transacted shall be signed by the Chairman and shall be entered in the Minutes Book.

(4) The minutes of each meeting shall be placed before the next meeting for confirmation.

(5) The minutes of meetings kept in accordance with the provisions of these rules shall be evidence of proceedings recorded therein.

[No. F 12-3/85-RRB(11)]

का. आ. 69.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) को धारा 29 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय संरक्षकार, भारतीय रिजर्व बैंक और स्टेट बैंक आफ पटियाला के परामर्श से निम्नलिखित नियम बनाते हैं, अर्थात् :—

1. मंशिप्त नाम और प्रारम्भ (1) इन नियमों का नाम मालवा ग्रामीण बैंक (बोर्ड के अधिवेशन) नियम 1986 है।

(2) ये राजपत्र में प्रकाशन की तारीख से लागू होंगे।

2. परिमापा : इन नियमों में, जब तक कि संदर्भ से अन्यथा अपेक्षित न हो,—(क) "अधिनियम" से प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) अभिप्रेत है।

(ख) "बैंक" से मालवा ग्रामीण बैंक अभिप्रेत है।

(ग) ऐसे शब्दों और पदों के, जो इन नियमों में प्रयुक्त हैं और परिमापित नहीं हैं किन्तु अधिनियम में परिमापित है वहों अर्थ है, जो उनके अधिनियम में है।

3. बोर्ड के अधिवेशनों का न्यूनतम संख्या एक बर्षे में बोर्ड के कम से कम छह अधिवेशन होंगे और हर तिमाही में कम से एक अधिवेशन होगा।

4. अधिवेशनों का संयोजन : अधिवेशनों का संयोजन बोर्ड ने अन्य द्वारा दिया जायेगा।

5. अधिवेशनों का स्थान : बोर्ड के अधिवेशन बैंक के मुख्य कार्यालय में व्रथवा अधिमूलित क्षेत्र में किसी ऐसे अन्य स्थान पर होंगे, जिसे बोर्ड विनिश्चित करे।

6. अधिवेशन का सूचना नाथा कारबार को सूची : (1) (क) बोर्ड के प्रत्येक अधिवेशन का समय एवं स्थान अध्यक्ष द्वारा वित्तन्यात्र दिया जायेगा।

(ख) बोर्ड के अधिवेशन के लिए प्रत्येक निदेशक का अधिवेशन को तारीख से माध्यारंत कम से कम पन्द्रह दिन को सूचना दी जायेगी और प्रत्येक निदेशक को यह सूचना उसके द्वारा इस निमित विनिर्दिष्ट परे पर मैंज़ जायेगी।

(ग) अधिवेशन में किये जाने के लिए प्रस्तावित कारबार का सूची उक्त सूचना के साथ ही परिचालित को जायेगी।

(घ) उस कारबार के सिवाय जिसके लिए अधिवेशन बुलाया गया है, कोई अन्य कारबार अधिवेशन के अध्यक्ष तथा उपस्थित निदेशकों की वहुसंख्या को लहमति के बिना तब तक नहीं किया जायेगा जब तक कि उस कारबार के बारे में अध्यक्ष को एक स्पष्टाह का नियमित सूचना नहीं दे दी गयी है।

2. यदि बोर्ड का अपात अधिवेशन बुलाना आवश्यक है, तो प्रत्येक निदेशक को पर्याप्त समय पूर्व सूचना दी जायेगी।

7. बोर्ड का विशेष अधिवेशन : (1) अध्यक्ष, इस प्रयोजन के लिए कम से कम चार निदेशकों से मांग प्राप्त होने पर, बोर्ड का अधिवेशन बुलायेगा।

(2) इस मांग में उम प्रयोजन का उल्लेख होगा, जिसके लिए अधिवेशन बुलाने की अपेक्षा की गयी है।

(3) अधिवेशन मांग प्राप्त होने की तारीख से 21 दिन के भीतर ही बुलाया जायेगा।

8. बोर्ड के अधिवेशन के लिए गणपूर्ति निदेशकों की युल संख्या के एक तिहाई या चार को, इनमें से जो अधिक हो, होगी :

परन्तु जहां इस अधिनियम को धारा 14 की उपधारा (4) के उपबंध के कारण कोई निदेशक बोर्ड के अधिवेशन में विचार-विभाग में भाग लेने के अथवा मत देने में असमर्थ हो, वहां गणपूर्ति ताज़ को होगी।

9. गणपूर्ति न होने के कारण अधिवेशन का स्थगन : यदि बोर्ड का अधिवेशन, गणपूर्ति न होने के कारण नहीं हो सका हो तो अधिवेशन अगले सप्ताह में उसी दिन, उसी स्थान एवं समय के लिए, अथवा यदि वह दिन सार्वजनिक अवकाश-दिन हो, तो उससे अगले दिन, जो सार्वजनिक अवकाश-दिन न हो, उसी समय और उसी स्थान के स्थिर स्वतः स्थगित हो जायेगा।

परन्तु जहां गणपूर्ति न होने के कारण स्थगित अधिवेशन में कोई निदेशक अनुपस्थित रहा हो, वहां अध्यक्ष जिस तारीख तक के लिए अधिवेशन स्थगित हो, उसे पूर्व उसे निदेशकों को यह सूचना देजेगा कि गणपूर्ति न होने के कारण उस तारीख को अधिवेशन नहीं होगा।

10. परिचालन द्वारा कारबार : (1) यदि अध्यक्ष ऐसा निदेश दे, तो बोर्ड द्वारा किये जाने वाले कारबार को कागजों के परिचालन द्वारा निदेशकों (भारत से बाहर भवे निवेशकों से गिर्व) को निर्दिष्ट दिया जा सकता है।

(2) कोई भी कारबार जिसे अधिनियम (1) के अन्तर्गत परिचालित किया गया हो और उन निदेशकों के बहुमत द्वारा अनुमोदित किया जा चुका हो, जिन्होंने अपने विचार नेतृत्व दिये हों, उसी प्रकार प्रभावी और आवद्धकार होंगा माना एसा कारबार अधिवेशन में उपस्थित निदेशकों के बहुमत द्वारा विनिश्चित किया गया हो।

(3) परिचालन द्वारा पारित कोई मामला बोर्ड द्वारा उस तारीख को परिचलित किया गया माना जायेगा जिस तारीख को उस मामले पर अन्तिम हस्ताक्षरकर्ता ने हस्ताक्षर किये हों।

(4) यदि कोई मामला परिचालित किया जाता है तो उस परिचालन परिणाम से सभी निदेशकों को संभुचित किया किया जायेगा।

(5) कागजों के परिचालन द्वारा किसी प्रश्न पर किये गये सभी निर्णयों को अभिलेख के लिये अगले अधिवेशन में रखा जायेगा।

11. कारबार के अभिलेख :—(1) (क) बोर्ड के अधिवेशनों के कार्यवतों को नस्तकों (जिन्हें इसमें इसके पश्चात् कार्यवत्त पुस्तक कहा गया हो) में रखा जायेगा।

(ख) कार्यवत्त पुस्तक का हर पट्ट, यथास्थिति, अध्यक्ष अध्यात्म निवेशक, जिसमें अधिवेशन की अध्यक्षता की हो, द्वारा आधिकारित या हस्ताक्षरित किया जायेगा तथा ऐसी पुस्तक में प्रत्येक अधिवेशन की कार्यवाहियों के अभिलेख के अन्तिम पट्ट पर तारीख ढाली जायेगी।

(2) प्रत्येक अधिवेशन को राष्ट्रपति के पश्चात् यथास्थिति इन कार्यवतों को प्रतियां प्रत्येक निवेशक को भेजा जायेगा।

(3) जब कोई कारबार या कागजों के परिचालन द्वारा किया जाये तो इस प्रकार किये गये कारबार के अभिलेख की अध्यक्ष द्वारा हस्ताक्षरित किया जायेगा और कार्यवत्त पुस्तक में उसकी प्रविष्टि की जायेगी।

(4) प्रत्येक अधिवेशन के कार्यवत्त पुस्तक के लिये अगले अधिवेशन में रखे जायेंगे।

(5) अधिवेशनों के बीच कार्यवत्त, जो इन नियमों के उपर्योग के अनुपार रखे जायेंगे, उनमें अभिलेखित कार्यवाहियों का साक्ष देंगे।

[म. एफ. 12-3/86-ग्राम आरबी (12)]

S.O. 69.—In exercise of the powers conferred by section 29 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government, after consultation with the Reserve Bank of India and State Bank of Patiala hereby makes the following rules, namely :—

1. Short title and commencement.—(1) These rules may be called the Malwa Gramin Bank (Meetings of Board) Rules, 1986.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—In these rules, unless the context otherwise requires—

(a) "Act" means the Regional Rural Banks Act, 1976 (21 of 1976).

(b) "bank" means the Malwa Gramin Bank.

(c) words and expressions used herein and not defined but defined in the Act have the meanings, respectively, assigned to them in the Act.

3. Minimum number of meetings of the Board.—The Board shall hold at least six meetings in a year and at least one meeting in every quarter.

4. Convening of meetings.—Meetings of the Board shall be convened by the Chairman.

5. Venue of the meetings.—The meetings of the Board shall be held at the head office of the bank or at such other place in the notified area as the Board may decide.

6. Notice of meeting and list of business.—(1) (a) The Chairman shall decide the time and place of every meeting of the Board.

(b) A notice of not less than fifteen days shall ordinarily be given to every director for a meeting of the Board and the notice shall be sent to every director at the address specified by him in this behalf.

(c) A list of business proposed to be transacted at the meeting shall be circulated alongwith the notice.

(d) No business, other than that for which the meeting was convened, shall be transacted at a meeting of the Board except with the consent of the Chairman of the meeting and a majority of the Directors present unless one week's notice of such business has been given in writing to the Chairman.

(2) Where it is necessary to call an urgent meeting of the Board, a notice of not less than seven days shall be given to each director.

7. Special meeting of the Board.—(1) The Chairman shall call a meeting of the Board after a requisition for that purpose has been received by him from not less than four directors.

(2) The requisition shall state the purpose for which the meeting is required to be called.

(3) The meeting shall be called not later than twenty-one days from the date of receipt of the requisition.

8. Quorum for a meeting.—A quorum for a meeting of the Board shall be one-third of the total number of directors or four, whichever is higher.

Provided that where by reason of the provision of sub-section (4) of section 14 of the Act any director is unable to take part in the discussion of, or vote at, a meeting of the Board, the quorum shall be three.

9. Adjournment of meeting for want of quorum.—If a meeting of the Board could not be held for want of quorum, then the meeting shall automatically stand adjourned till the same day in the next week, at the same time and place, or if that day is a public holiday, till the next succeeding day which is not a public holiday, at the same time and place :—

Provided that where a director is not present at a meeting adjourned for want of quorum, the Chairman shall, before the date to which the meeting stands adjourned, send notice to the director that the meeting was not held on the date for want of quorum.

10. Business by circulation.—(1) A business which is to be transacted by the Board may, if the Chairman so directs, be referred to directors (other than directors who are absent from India) by circulation of papers.

(2) Any business circulated under sub-rule (1) and approved by such number of directors as are necessary to constitute quorum for a meeting of the Board who have recorded their views in writing shall be as effectual and binding as if such business were decided by the majority of the directors present at a meeting.

(3) A business passed by circulation shall be deemed to be a business passed by the Board on the date it was signed by the last signatory to the business.

(4) If a business is circulated the result of the circulation shall be communicated to all the directors.

(5) All decisions on a question arrived at by circulation of papers shall be placed at the next meeting for record.

11. Records of business—(1) (a) The minutes of the meeting of the Board shall be kept in book (hereinafter referred to as the Minutes Book).

(b) Every page of the Minutes Book shall be initialed or signed by the Chairman or the director, as the case may be, who presided at the meeting and last page of the record of proceedings of each meeting of such book shall be dated.

(2) Copies of such minutes shall be forwarded to each director as soon as possible after every meeting.

(3) When a business is transacted by circulation of papers, a record of business so transacted shall be signed by the Chairman and shall be entered in the Minutes Book.

(4) The minutes of each meeting shall be placed before the next meeting for confirmation.

(5) The minutes of meetings kept in accordance with the provisions of these rules shall be evidence of proceedings recorded therein.

[No. F. 12—3/86-RRB (12)]

का. शा. 70.—प्रावेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 29 द्वारा प्रदत्त अक्षितों का पर्योग करते हुए केन्द्रीय सरकार, भारतीय रिजर्व बैंक और पंजाब एंड सिध बैंक के परामर्श में निम्नलिखित नियम बनाती हैं। अर्थात् :—

1. मंसितन नाम और प्रारम्भ :—

(1) इन नियमों का नाम फरीदकोट भट्टा केन्द्रीय ग्रामीण बैंक (बोर्ड के अधिवेशन) नियम 1986 है।

(2) ये राजपत्र में प्रकाशन की तारीख से लागू होंगे।

2. अधिकारी :—इन नियमों में, जब तक कि संदर्भ में अन्यथा अपेक्षित न हो,—

(क) "अधिनियम" में प्रावेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) अन्तिमत है।

(ख) "बैंक" में फरीदकोट भट्टा केन्द्रीय ग्रामीण बैंक अन्तिमत है।

(ग) ऐसे शब्दों और पदों के, जो इन नियमों में प्रयुक्त हैं और परिभाषित नहीं हैं किन्तु अधिनियम में परिभाषित हैं वही अर्थ हैं, जो उनके अधिनियम में है।

3. बोर्ड के अधिवेशनों की न्यूनतम संख्या :—एक बर्ष में बोर्ड के कम से कम छह अधिवेशन होंगे और हर तिमाही में कम से कम एक अधिवेशन होगा।

4. अधिवेशनों का संयोजन :—अधिवेशनों का संयोजन बोर्ड के अध्यक्ष द्वारा किया जायेगा।

5. अधिवेशनों का स्थान :—बोर्ड के अधिवेशन बैंक के मुख्य कार्यालय में अथवा अधिसूचित स्थान में किसी ऐसे अन्य स्थान पर होंगे, जिसे बोर्ड विनिश्चित करें।

6. अधिवेशन की सूचना तथा कारबार की सूची :—

(1) (क) बोर्ड के प्रत्येक अधिवेशन का समय एवं स्थान अपेक्षा द्वारा विनिश्चित किया जायेगा।

(ख) बोर्ड के अधिवेशन के लिए प्रत्येक निदेशक को अधिवेशन की तारीख से भाग्यार्थी कम से कम पांचदश दिन की सूचना दी जायेगी और प्रत्येक निदेशक को यह सूचना उसके द्वारा इस निमंत्रित विनिर्दिष्ट पते पर भेजी जायेगी।

(ग) अधिवेशन में किये जाने के लिए प्रत्यावित कारबार की सूची उक्त सूचना के साथ ही परिचालित की जायेगी।

(घ) उस कारबार के सिवाय जिसके लिए अधिवेशन बुलाया गया है, कोई अन्य कारबार अधिवेशन के अध्यक्ष तथा उपस्थित निदेशकों की बहुसंख्या की भूमिति के बिना तब तक नहीं किया जायेगा जब तक कि उस कारबार के बारे में अध्यक्ष को एक सम्पादकीय लिखित सूचना नहीं दे दी गयी है।

(2) यदि बोर्ड का आमत अधिवेशन बलाना आवश्यक हो तो प्रत्येक निदेशक को पर्याप्त समय पूर्व सूचना दी जायेगी।

7. बोर्ड का विशेष अधिकारी :—(1) अध्यक्ष, इस प्रयोजन के लिए कम से कम चार निदेशकों से मांग प्राप्त होने पर, बोर्ड का अधिवेशन बुलायेगा।

(2) इस मांग में उस प्रयोजन का उल्लेख होगा, जिसके लिए अधिवेशन बुलाने की अपेक्षा की गयी है।

(3) अधिवेशन मांग प्राप्त होने की तारीख से 21 दिन के भीतर ही बुलाया जायेगा।

8. बोर्ड के अधिवेशन के लिए गणपूर्ति निदेशकों की कुल संख्या के एक तिकाई या चार की, इनमें से जो अधिक हो, होंगी :

परन्तु जहां इस अधिनियम की धारा 14 की उपधारा

(4) के उत्तर के कारण कोई निदेशक बोर्ड के अधिवेशन में विचार-विमर्श में भाग लेने के अथवा मत देने में असमर्थ हो, वहा गणपूर्ति तीन की होगी।

9. गणपूर्ति न होने के कारण अधिवेशन का स्थमत :—यदि बोर्ड का अधिवेशन, गणपूर्ति न होने के कारण नहीं हो सका हो तो अधिवेशन अगले सप्ताह में उसी दिन, उसी स्थान एवं समय के लिए, अथवा यदि वह दिन सार्वजनिक अवकाश-दिन हो, तो उसमें अग्रवै दिन, जो सर्वजनिक अवकाश-दिन न हो, उसी समय और उसी स्थान के लिये स्थान स्थगित हो जायेगा।

परन्तु जहां गणपूर्ति न होने के कारण स्थगित अधिवेशन में कोई निदेशक अनुपस्थित रहा हो, वहा अध्यक्ष जिस तारीख तक के लिये अधिवेशन स्थगित हो, उससे पूर्व

उस निदेशक को यह सूचना भेजेगा कि गणपूर्ति न होने के कारण उस तारीख को अधिवेशन नहीं हुआ।

10. परिचालन द्वारा कारबार:—(1) यदि अध्यक्ष ऐसा निदेश दे, तो बोर्ड द्वारा किये जाने वाले कारबार को कागजों के परिचालन द्वारा निदेशकों (भारत से बाहर गये निदेशकों से भिन्न को निर्दिष्ट किया जा सकता है।

(2) कोई भी कारबार जिसे उपनियम (1) के अन्तर्गत परिचालित किया गया हो और उन निदेशकों के बहुमत द्वारा अनुमोदित किया जा चुका हो, जिन्होंने अपने विचार नेतृत्वद्वारा किये हों, उसी प्रकार प्रभावी और आवद्धकार होगा भी तो तें; कारबार अधिवेशन में उपस्थित निदेशकों के बहुमत द्वारा विनिश्चित किया गया हो।

(3) परिचालन द्वारा पारित कोई मामला बोर्ड द्वारा उस तारीख को पारित किया गया माना जायेगा जिस तारीख को उस मामले पर अनियम हस्ताक्षरकर्ता ने हस्ताक्षर किये हों।

(4) यदि कोई मामला पारिचालित किया जाता है तो उस परिचालन परिणाम से सभी निदेशकों को संसूचित किया जायेगा।

(5) कागजों के परिचालन द्वारा किसी प्रश्न पर किये गये सभी निर्णयों को अभिलेख के लिये अगले अधिवेशन में रखा जायेगा।

11. कारबार के अधिलेख:—(1) (क) बोर्ड के अधिवेशनों के कार्यवृत्तों को पुस्तकों (जिन्हें इसमें इसके पश्चात कार्यवृत्त पुस्तक कहा गया हो) में रखा जायेगा।

(ख) कार्यवृत्त पुस्तक का हर पृष्ठ, यथास्थिति, अध्यक्ष अथवा निदेशक, जिसमें अधिवेशन वी अध्यक्षता की हो, द्वारा आशकाग्नि या हस्ताक्षारित किया जायेगा तथा ऐसी पुस्तक में प्रत्येक अधिवेशन की कार्यवाहियों के अभिलेख के अनियम पृष्ठ पर तारीख डाली जायेगी।

(2) प्रत्येक अधिवेशन की समाप्ति के पश्चात यथानीय इन कार्यवृत्तों की प्रतियां प्रत्येक निदेशक को भेजी जायेगी।

(3) जब कोई कारबार या कागजों के परिचालन द्वारा किया जाये तो इस प्रकार किये गये कारबार के अभिलेखों को अध्यक्ष द्वारा हस्ताक्षरित किया जायेगा और कार्यवृत्त पुस्तक में उसकी प्रविष्टि की जायेगी।

(4) प्रत्येक अधिवेशन के कार्यवृत्त पुस्ति के लिये अगले अधिवेशन में रखे जायेंगे।

(5) अधिवेशनों के बीच कार्यवृत्त, जो इन नियमों के उपर्योग के अनुसार रखे जायेंगे, उनमें अधिलिङ्गित कार्यवाहियों का साक्ष छोड़े।

[स. एक. 12-3/86-आर-आर बी (13)]

S.O. 70.—In exercise of the powers conferred by section 29 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government, after consultation with the Reserve Bank of India and Punjab and Sind Bank hereby makes the following rules, namely :—

1. Short title and commencement.—(1) These rules may be called the Faridkot Bhatinda Kshetriya Gramin Bank (Meetings of Board) Rules, 1986.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—In these rules, unless the context otherwise requires—

(a) "Act" means the Regional Rural Banks Act 1976 (21 of 1976).

(b) "bank" means the Faridkot Bhatinda Kshetriya Gramin Bank.

(c) words and expressions used herein and not defined but defined in the Act have the meanings, respectively, assigned to them in the Act.

3. Minimum number of meetings of the Board.—The Board shall hold at least six meetings in a year and at least one meeting in every quarter.

4. Convening of meetings.—Meetings of the Board shall be convened by the Chairman.

5. Venue of the meetings.—The meetings of the Board shall be held at the head office of the bank or at such other place in the notified area as the Board may decide.

6. Notice of meeting and list of business.—(1) (a) The Chairman shall decide the time and place of every meeting of the Board.

(b) A notice of not less than fifteen days shall ordinarily be given to every director for a meeting of the Board and the notice shall be sent to every director at the address specified by him in this behalf.

(c) A list of business proposed to be transacted at the meeting shall be circulated alongwith the notice.

(d) No business other than that for which the meeting was convened, shall be transacted at a meeting of the Board except with the consent of the Chairman of the meeting and a majority of the Directors present unless one week's notice of such business has been given in writing to the Chairman.

(2) Where it is necessary to call an urgent meeting of the Board, a notice of not less than seven days shall be given to each director.

7. Special meeting of the Board.—(1) The Chairman shall call a meeting of the Board after a requisition for that purpose has been received by him from not less than four directors.

(2) The requisition shall state the purpose for which the meeting is required to be called.

(3) The meeting shall be called not later than twenty-one days from the date of receipt of the requisition.

8. Quorum for a meeting.—A quorum for a meeting of the Board shall be one-third of the total number of directors or four whichever is higher.

Provided that where by reason of the provision of sub-section (4) of section 14 of the Act any director is unable to take part in the discussion of, or vote at, a meeting of the Board, the quorum shall be three.

9. Adjournment of meeting for want of quorum.—If a meeting of the Board could not be held for want of quorum, then the meeting shall automatically stand adjourned till the same day in the next week, at the same time and place, or if that day is a public holiday, till the next succeeding day which is not a public holiday, at the same time and place :—

Provided that where a director is not present at a meeting adjourned for want of quorum, the Chairman shall, before the date to which the meeting stands adjourned, send notice to the direction that the meeting was not held on the date for want of quorum.

10. Business by circulation—(1) A business which is to be transacted by the Board may, if the Chairman so directs, be referred to directors (other than directors who are absent from India) by circulation of papers.

(2) Any business circulated under sub-rule (1) and approved by such number of directors as are necessary to constitute quorum for a meeting of the Board who have recorded their views in writing shall be as effectual and binding as if such business were decided by the majority of the directors present at a meeting.

(3) A business passed by circulation shall be deemed to be a business passed by the Board on the date it was signed by the last signatory to the business.

(4) If a business is circulated the result of the circulation shall be communicated to all the directors.

(5) All decisions on a question arrived at by circulation of papers shall be placed at the next meeting for record.

11. Records of business—(1) (a) The minutes of the meeting of the Board shall be kept in book (hereinafter referred to as the Minutes Book).

(b) Every page of the Minutes Book shall be initialed or signed by the Chairman or the director, as the case may be who presided at the meeting and last page of the record of proceedings of each meeting of such book shall be dated.

(2) Copies of such minutes shall be forwarded to each director as soon as possible after every meeting.

(3) When a business is transacted by circulation of papers, a record of business so transacted shall be signed by the Chairman and shall be entered in the Minutes Book.

(4) The minutes of each meeting shall be placed before the next meeting for confirmation.

(5) The minutes of meetings kept in accordance with the provisions of these rules shall be evidence of proceedings recorded therein.

[No. F. 12—3/86-RRB (13)]

का. आ. 71.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 29 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक और दृष्टिधन बैंक के परामर्श में निम्नलिखित नियम बनाती है, अर्थात् :—

1. संक्षिप्त नाम और प्रारम्भ :—

(1) इन नियमों का नाम कनकदुर्गा ग्रामीण बैंक (बोर्ड के अधिवेशन) नियम 1986 है।

(2) ये राजपत्र में प्रकाशन की तारीख से लागू होंगे।

2. परिभाषा :—इन नियमों में, जब तक कि सदर्भ में अन्यथा अपेक्षित न हो,—

(क) “अधिनियम” से प्रादेशिक ग्रामीण बैंक अधिनियम 1976 (1976 का 21) अभिप्रेत है।

(ख) “बैंक” से कनकदुर्गा ग्रामीण बैंक अभिप्रेत है।

(ग) ऐसे शब्दों और पदों के, जो इन नियमों में प्रयुक्त हैं और परिभाषित नहीं हैं किन्तु अधिनियम में परिभाषित है वही अर्थ है, जो उनके अधिनियम में है।

3. बोर्ड के अधिवेशनों की न्यूनतम संख्या :—एक वर्ष में बोर्ड के कम से कम छह अधिवेशन होंगे और हर तिमाही में कम से कम एक अधिवेशन होगा।

4. अधिवेशनों का संयोजन :—अधिवेशनों का संयोजन बोर्ड के अध्यक्ष द्वारा किया जायेगा।

5. अधिवेशनों का स्थान :—बोर्ड के अधिवेशन बैंक के मुख्य कार्यालय में अथवा अधिसूचित क्षेत्र में किसी ऐसे अन्य स्थान पर होंगे, जिसे बोर्ड विनिश्चित करे।

6. अधिवेशन की सूचना तथा कारबाहर की सूची :—

(1) (क) बोर्ड के प्रत्येक अधिवेशन का समय एवं स्थान अध्यक्ष द्वारा विनिश्चित किया जायेगा।

(ख) बोर्ड के अधिवेशन के लिए प्रत्येक निदेशक को अधिवेशन की तारीख से साधारणतः कम से कम पन्द्रह दिन की सूचना दी जायेगी और प्रत्येक निदेशक को यह सूचना उसके द्वारा इस निमित्त विनिर्दिष्ट पते पर भेजी जायेगी।

(ग) अधिवेशन में किये जाने के लिए प्रस्तावित कारबाहर की सूची उक्त सूचना के साथ ही परिचालित की जायेगी।

(घ) उस कारबाहर के सिवाय जिसके लिए अधिवेशन बुलाया गया है, कोई अन्य कारबाहर अधिवेशन के अध्यक्ष तथा उपस्थित निदेशकों की बहुरूप्यता की सहमति के बिना तब तक नहीं किया जायेगा जब तक कि उस कारबाहर के बारे में अध्यक्ष को एक सप्ताह की लिखित सूचना नहीं दी गयी है।

(2) यदि बोर्ड का आपात अधिवेशन बुलाना आवश्यक हो तो प्रत्येक निदेशक को पर्याप्त समय पूर्व सूचना दी जायेगी।

7. बोर्ड का विशेष अधिवेशन :—(1) अध्यक्ष, इस प्रयोजन के लिए कम से कम चार निदेशकों से मांग प्राप्त होने पर, बोर्ड का अधिवेशन बुलायेगा।

(2) इस मांग में उस प्रयोजन का उल्लेख होगा, जिसके लिए अधिवेशन बुलाने की अपेक्षा की गयी है।

(3) अधिवेशन मांग प्राप्त होने की तारीख से 21 दिन के भीतर ही बुलाया जायेगा।

8. बोर्ड के अधिवेशन के लिए गणपूति निदेशकों की कुन संख्या के एक तिहाई या चार की, इनमें से जो अधिक हो, होगी।

परन्तु जहां इस अधिनियम की धारा 14 की उपधारा

(4) के उपबंध के कारण कोई निदेशक बोर्ड के अधिवेशन में विचार-विमर्श में भाग लेने के अथवा मत देने में असमर्थ हो, वहां गणपूति तीन की होगी।

9. गणपूर्ति न होने के कारण अधिवेशन का स्थगन:— यदि बोर्ड का अधिवेशन, गणपूर्ति न होने के कारण नहीं हो सका हो तो अधिवेशन अगले सप्ताह में उसी दिन, उसी स्थान एवं समय के लिए, अथवा यदि वह दिन सार्वजनिक अवकाश-दिन हो, तो उससे अगले दिन, जो सार्वजनिक अवकाश-दिन न हो, उसी समय और उसी स्थान के सिये स्वतः स्थगित हो जायेगा।

परन्तु जहां गणपूर्ति न होने के कारण¹ स्थगित अधिवेशन में कोई निवेशक अनुपस्थित रहा हो, वहां अध्यक्ष जिस तारीख तक के लिये अधिवेशन स्थगित हो, उससे पूर्व उस निदेशक को यह सूचना भेजेगा कि गणपूर्ति न होने के कारण उस तारीख को अधिवेशन नहीं हुआ।

10. परिचालन द्वारा कारबार:—(1) यदि अध्यक्ष ऐसा निदेश दे, तो बोर्ड द्वारा किये जाने वाले कारबार को कागजों के परिचालन द्वारा निदेशकों (भारत से बाहर गये निदेशकों से भिन्न) को निर्दिष्ट कियो जा सकता है।

(2) कोई भी कारबार जिसे उपनियम (1) के अन्तर्गत परिचालित किया गया हो और उन निदेशकों के बहुमत द्वारा अनुमोदित किया जा चुका हो, जिन्होंने अपने विधार लेखबद्ध किये हों, उसी प्रकार प्रभावी और भावद्वाकार होगा मात्र ऐसा कारबार अधिवेशन में उपस्थित निदेशकों के बहुमत द्वारा विनियित किया गया हो।

(3) परिचालन द्वारा पारित कोई मामला बोर्ड द्वारा उस तारीख को पारित किया गया मात्रा जायेगा जिस तारीख को उस मामले पर अन्तिम हस्ताक्षरकर्ता ने हस्ताक्षर किये हों।

(4) यदि कोई मामला परिचालित किया जाता है तो उस परिचालन परिणाम से सभी निदेशकों को संसूचित किया जायेगा।

(5) कागजों के परिचालन द्वारा किसी प्रश्न पर किये गये सभी निर्णयों को अभिलेख के लिये अगले अधिवेशन में रखा जायेगा।

11. कारबार के अभिलेख:—(1) (क) बोर्ड के अधिवेशनों के कार्यवृतों को पुस्तकों (जिन्हें इसमें इसके पश्चात् कार्यवृत्त पुस्तक कहा गया हो) में रखा जायेगी।

(ख) कार्यवृत्त पुस्तक का हर पृष्ठ, यथास्थिति, अध्यक्ष अथवा निदेशक, जिसमें अधिवेशन की अध्यक्षता की हो, द्वारा आवश्यकरित या हस्ताक्षरित किया जायेगा तथा ऐसी पुस्तक में प्रत्येक अधिवेशन की कार्यवाहियों के अभिलेख के अन्तिम पृष्ठ पर तारीख डाली जायेगी।

(2) प्रत्येक अधिवेशन की समाप्ति के पश्चात् यथाशीघ्र इन कार्यवृत्तों की प्रतियां प्रत्येक निदेशक को भेजी जायेंगी।

(3) जब कोई कारबार या कागजों के परिचालन द्वारा किया जाये तो इस प्रकार किये गये कारबार के

अभिलेख को अध्यक्ष द्वारा हस्ताक्षरित किया जायेगा और कार्यवृत्त पुस्तक में उसकी प्रविधि की जायेगी।

(4) प्रत्येक अधिवेशन के कार्यवृत्त पुस्तक के निये अगले अधिवेशन में रखे जायेंगे।

(5) अधिवेशनों के बे कार्यवृत्त, जो इन नियमों के उपबंधों के अनुसार रखे जायेंगे, उनमें अभिनियित कार्यवाहियों का साक्ष्य होंगे।

[न. एफ. 12-3/86-आर आर बी (14)]

S.O. 71.—In exercise of the powers conferred by section 29 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government, after consultation with the Reserve Bank of India and Indian Bank hereby makes the following rules, namely :—

1. Short title and commencement.—(1) These rules may be called the Kanakadurga Gramene Bank (Meeting of Board) Rules, 1986.

(2) They shall come into force on the date of their publication in the Official Gazette.

2 Definitions.—In these rules, unless the context otherwise requires—

(a) "Act" means the Regional Rural Banks Act, 1976 (21 of 1976).

(b) "bank" means the Kanakadurga Gramenea Bank.

(c) words and expressions used herein and not defined but defined in the Act have the meanings, respectively, assigned to them in the Act.

3. Minimum number of meetings of the Board.—The Board shall hold at least six meetings in a year and at least one meeting in every quarter.

4. Convening of meetings.—Meetings of the Board shall be convened by the Chairman.

5. Venue of the meetings.—The meetings of the Board shall be held at the head office of the bank or at such other place in the notified area as the Board may decide.

6. Notice of meeting and list of business.—(1) (a) The Chairman shall decide the time and place of every meeting of the Board.

(b) A notice of not less than fifteen days shall ordinarily be given to every director for a meeting of the Board and the notice shall be sent to every director at the address specified by him in this behalf.

(c) A list of business proposed to be transacted at the meeting shall be circulated along-with the notice.

(d) No business, other than that for which the meeting was convened, shall be transacted at a meeting of the Board except with the consent of the Chairman of the meeting and a majority of the Directors present unless one week's notice of such business has been given in writing to the Chairman.

(2) Where it is necessary to call an urgent meeting of the Board, a notice of not less than seven days shall be given to each director.

7. Special meetings of the Board.—(1) The Chairman shall call a meeting of the Board after a requisition from not less than four directors.

(2) The requisition shall state the purpose for which the meeting is required to be called.

(3) The meeting shall be called not later than twenty-one days from the date of receipt of the requisition.

8. Quorum for a meeting.—A quorum for a meeting of the Board shall be one-third of the total number of directors or four whichever is higher.

Provided that where by reason of the provision of sub-section (4) of section 14 of the Act any director is unable to take part in the discussion of, or vote at, a meeting of the Board, the quorum shall be three.

9. Adjournment of meeting for want of quorum.—If a meeting of the Board could not be held for want of quorum, then the meeting shall automatically stand adjourned till the same day in the next week, at the same time and place, or if that day is a public holiday, till the next succeeding day which is not a public holiday, at the same time and place:—

Provided that where a director is not present at a meeting adjourned for want of quorum, the Chairman shall, before the date which the meeting stands adjourned, send notice to the director that the meeting was not held on the date for want of quorum.

10. Business by circulation.—(1) A business which is to be transacted by the Board may, if the Chairman so directs, be referred to directors (other than directors who are absent from India) by circulation of papers.

(2) Any business circulated under sub-rule (1) and approved by such number of directors as are necessary to constitute quorum for a meeting of the Board who have recorded their views in writing shall be as effectual and binding as if such business were decided by the majority of the directors present at a meeting.

(3) A business passed by circulation shall be deemed to be a business passed by the Board on the date it was signed by the last signatory to the business.

(4) If a business is circulated the result of the circulation shall be communicated to all the directors.

(5) All decisions on a question arrived at by circulation of papers shall be placed at the next meeting for record.

11. Records of business.—(1) (a) The minutes of the meetings of the Board shall be kept in book (hereinafter referred to as the Minutes Book).

(b) Every page of the Minutes Book shall be initiated or signed by the Chairman or the director, as the case may be, who presided at the meeting and last page of the record of proceedings of each meeting of such book shall be dated.

(2) Copies of such minutes shall be forwarded to each director as soon as possible after every meeting.

(3) When a business is transacted by circulation of papers, a record of business so transacted shall be signed by the Chairman and shall be entered in the Minutes Book.

(4) The minutes of each meeting shall be placed before the next meeting for confirmation.

(5) The minutes of meetings kept in accordance with the provisions of these rules shall be evidence of proceedings recorded therein.

[No. F. 12-3/86-RRB (14)]

का. आ. 72—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 29 द्वारा प्रदत्त शक्तियों का पर्याप्त करने द्वारा केन्द्रीय मरकार, भारतीय रिजर्व बैंक

और बैंक ग्राम महाराष्ट्र के प्रादेशिक संघर्ष से निन्नलिखित नियम बनाती है, अर्थात्:—

1. संक्षिप्त नाम और प्रारम्भ:—(1) इन नियमों का नाम याणे ग्रामीण बैंक (बोर्ड के अधिकारी) नियम 1986 है।

(2) ये राजपत्र में प्रकाशन की तारीख से लागू होंगे।

2. परिमाणः—इस नियमों में, जब तक कि संवर्भ से अन्यथा अवैधिक न होः—

(क) “अधिनियम” से प्रादेशिक ग्रामीण बैंक अधिनियम 1976 (1976 का 21) अभिप्रेत है।

(ख) “बैंक” से याणे ग्रामीण बैंक अभिप्रेत है।

(ग) ऐसे शब्दों और पदों के, जो इन नियमों में प्रयुक्त हैं और परिभाषित नहीं हैं किन्तु अधिनियम में परिभाषित है वहीं अर्थ हैं, जो उनके अधिनियम में हैं।

3. बोर्ड के अधिकारीयों की न्यूनतम संख्या:—एक वर्ष में बोर्ड के कम से कम छह अधिकारीयों द्वारा तिमाही में कम से कम एक अधिकारी द्वारा होगा।

4. अधिकारीयों का संयोजनः—अधिकारीयों का संयोजन बोर्ड के अध्यक्ष द्वारा किया जायगा।

5. अधिकारीयों का स्थानः—बोर्ड के अधिकारीयों के मुख्य कार्यालय में अधिकारीयों के बीच में किसी ऐसे अन्य स्थान पर होंगे, जिसे बोर्ड विनिश्चित करे।

6. अधिकारीयों की सूचना तथा कारबाहर की सूचीः—

(1) (क) बोर्ड के प्रत्येक अधिकारीय का समय एवं स्थान अध्यक्ष द्वारा विनिश्चित किया जायगा।

(ख) बोर्ड के अधिकारीयों के लिए प्रत्येक निवेशक को अधिकारीय की तारीख से माध्यारंतः कम से कम पन्द्रह दिन की सूचना दी जायेगी और प्रत्येक निवेशक को यह सूचना उसके द्वारा इस निमित्त विनिश्चित पते पर भेजी जायगी।

(ग) अधिकारीयों में किये जाने के लिए प्रस्तावित कारबाहर की सूची उक्त सूचना के माध्यम से परिचालित की जायगी।

(घ) उस कारबाहर के सिवाय जिसके लिए अधिकारीय बुलाया गया है, कोई अन्य कारबाहर अधिकारीय के अध्यक्ष तथा उपस्थिति निवेशकों की बड़ुसंख्या की सहमति के बिना तब तक नहीं किया जायगा जब तक कि उस कारबाहर के बारे में अध्यक्ष को एक संपत्ताह की लिखित सूचना नहीं दे दी गयी है।

(2) यदि बोर्ड का आपात अधिकारीय दुसरा आवश्यक हो तो प्रत्येक निवेशक को पर्याप्त समयपूर्व सूचना दी जायगी।

7. बोर्ड का विशेष अधिवेशन:—(1) अध्यक्ष, उस प्रयोजन के लिए कम से कम चार निदेशकों से मांग प्राप्त होने पर, बोर्ड का अधिवेशन बुलायेगा।

(2) इस मांग में उस प्रयोजन का उल्लेख होगा, जिसके लिए अधिवेशन बुलाने की अपेक्षा की गयी है।

(3) अधिवेशन मांग प्राप्त होने की तारीख से 21 दिन के भीतर ही बुलाया जाएगा।

8. बोर्ड के अधिवेशन के लिए गणपूति निदेशकों की कुल संख्या के अक्ष तिहाई या आर की, इनमें से जो अधिक हो, होगी।

परन्तु यहां इस अधिनियम की धारा 14 की उपधारा (4) के उपबंध के कारण कोई निदेशक बोर्ड के अधिवेशन में विचार-विमर्श में भाग लेने के अथवा मत देने में असमर्थ हो, वहां गणपूति तीन की होगी।

9. गणपूति न होने के कारण अधिवेशन का स्थगन:—यदि बोर्ड का अधिवेशन, गणपूति न होने के कारण नहीं हो सका हो तो अधिवेशन अगले सप्ताह में उसी दिन, उसी स्थान एवं समय के लिए, अथवा यदि वह दिन सार्वजनिक अवकाश-दिन हो, तो उससे इन, जो सार्वजनिक अवकाश-दिन न हो, उसी समय और स्थान के लिये स्वतः स्थगित हो जायेगा।

परन्तु यहां गणपूति न होने के कारण स्थगित अधिवेशन में कोई निदेशक अनुस्थित रहा हो, वहां अध्यक्ष जिस तारीख तक न तिरों प्रतिवेशन स्थगित हो, उससे पूर्व उस निदेशक को यह सूचना मेजाया कि गणपूति न होने के कारण उस तारीख को अधिवेशन नहीं हुआ।

10. परिचालन द्वारा कारबार:—(1) यदि अध्यक्ष ऐसा निर्देश दे, तो बोर्ड द्वारा किये जाने वाले कारबार को कागजों के परिचालन द्वारा निदेशकों (भारत से बाहर गये निदेशकों से निवार) को निर्विष्ट किया जा सकता है।

(2) कोई भी कारबार जिसे उपनियम (1) के अन्तर्गत परिचालित किया गया हो और उन निदेशकों के बहुमत द्वारा अनुमोदित किया जा चुका हो, जिन्होंने अपने विचार लेखदृढ़ किये हों, उसी प्रकार प्रभावी और प्राबद्धकार होगा माना एवं कारबार अधिवेशन में उपस्थित निदेशकों के बहुमत द्वारा विनिश्चित किया गया हो।

(3) परिचालन द्वारा पारित कोई मामला बोर्ड द्वारा उस तारीख को पारित किया गया माना जायेगा जिस तारीख को उस मामले पर अनितम हस्ताक्षरकर्ता ने हस्ताक्षर किया है।

(4) यदि कोई मामला परिचालित किया जाता है तो उस परिचालन परिणाम से सभी निदेशकों को संसूचित किया जायेगा।

(5) कागजों के परिचालन द्वारा किसी प्रश्न पर किये गये सभी निर्णयों को अभिलेख के लिए अगले अधिवेशन में रखा जायेगा।

11. कारबार के अभिलेख:—(1) (क) बोर्ड के अधिवेशनों के कार्यवृतों को पुस्तकों (जिन्हें इसमें इसके पश्चात कार्यवृत्त पुस्तक कहा गया हो) में रखा जायेग।

(ख) कार्यवृत्त पुस्तक का हर पृष्ठ यथास्थिति, अध्यक्ष अथवा निदेशक, जिसमें अधिवेशन की अध्यक्षता की हो, द्वारा आवश्यकरिता या हस्ताक्षरित किया जायेगा तथा ऐसी पुस्तक में प्रत्येक अधिवेशन की कार्यवाहियों के अभिलेख के अन्तिम पृष्ठ पर तारीख डाली जायेगी।

(2) प्रत्येक अधिवेशन की समाप्ति के पश्चात यथास्थिति हन कार्यवृत्तों की प्रतियां प्रत्येक निदेशक को भेजी जायेंगी।

(3) जब कोई कारबार या कागजों के परिचालन द्वारा किया जाये तो इस प्रकार किये गये कारबार के अभिलेख की अध्यक्ष द्वारा हस्ताक्षरित किया जायेगा और कार्यवृत्त पुस्तक में उसकी प्रविष्टि की जायेगी।

(4) प्रत्येक अधिवेशन के कार्यवृत्त पुस्ति के लिये अगले अधिवेशन में रखे जायेंगे।

(5) अधिवेशनों के वे कार्यवृत्त; जो इन नियमों के उपबंधों के अनुसार रखे जायेंगे, उनमें अभिनिवित कार्यवाहियों का साक्ष्य होंगे।

[सं. एफ. 12-3/86-आरआरबी (15)]

S.O. 72.—In exercise of the powers conferred by section 29 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government, after consultation with the Reserve Bank of India and Bank of Maharashtra hereby makes the following rules, namely :—

1. Short title and commencement.—(1) These rules may be called the Thane Gramin Bank (Meetings of Board) Rules, 1986.

(2) They shall come into force on the date of their publication in the Official Gazette.

2 Definitions.—In these rules, unless the context otherwise requires—

(a) "Act" means the Regional Rural Banks Act, 1976 (21 of 1976).

(b) "bank" means the Thane Gramin Bank.

(c) words and expressions used herein and not defined but defined in the Act have the meanings, respectively, assigned to them in the Act.

3. Minimum number of meetings of the Board.—The Board shall hold at least six meetings in a year and at least one meeting in every quarter.

4. Convening of meetings.—Meetings of the Board shall be convened by the Chairman.

5. Venue of the meetings.—The meetings of the Board shall be held at the head office of the bank or at such other place in the notified area as the Board may decide.

6. Notice of meeting and list of business.—(1) (a) The Chairman shall decide the time and place of every meeting of the Board.

(b) A notice of not less than fifteen days shall ordinarily be given to every director for a meeting of the Board and the notice shall be sent to every director at the address specified by him in this behalf.

(c) A list of business proposed to be transacted at the meeting shall be circulated along-with the notice.

(d) No business, other than that for which the meeting was convened, shall be transacted at a meeting of the Board except with the consent of the Chairman of the meeting and a majority of the Directors present unless one week's notice of such business has been given in writing to the Chairman.

(2) Where it is necessary to call an urgent meeting of the Board, a notice of not less than seven days shall be given to each director.

7. Special meetings of the Board.—(1) The Chairman shall call a meeting of the Board after a requisition for that purpose has been received by him from not less than four directors.

(2) The requisition shall state the purpose for which the meeting is required to be called.

(3) The meeting shall be called not later than twenty-one days from the date of receipt of the requisition.

8. Quorum for a meeting.—A quorum for a meeting of the Board shall be one-third of the total number of directors or four whichever is higher.

Provided that where by reason of the provision of sub-section (4) of section 14 of the Act any director is unable to take part in the discussion of, or vote at, a meeting of the Board, the quorum shall be three.

9. Adjournment of meeting for want of quorum.—If a meeting of the Board could not be held for want of quorum, then the meeting shall automatically stand adjourned till the same day in the next week, at the same time and place, or that day is a public holiday, till the next succeeding day which is not a public holiday, at the same time and place :—

Provided that where a director is not present at a meeting adjourned for want of quorum, the Chairman shall, before the date to which the meeting stands adjourned, send notice to the director that the meeting was not held on the date for want of quorum.

10. Business by circulation.—(1) A business which is to be transacted by the Board may, if the Chairman so directs, be referred to directors (other than directors who are absent from India) by circulation of papers.

(2) Any business circulated under sub-rule (1) and approved by such number of directors as are necessary to constitute quorum for a meeting of the Board who have recorded their views in writing shall be as effectual and binding as if such business were decided by the majority of the directors present at a meeting.

(3) A business passed by circulation shall be deemed to be a business passed by the Board on the date it was signed by the last signatory to the business.

(4) If a business is circulated the result of the circulation shall be communicated to all the directors.

(5) All decisions on a question arrived at by circulation of papers shall be placed at the next meeting for record.

11. Records of business.—(1) (a) The minutes of the meetings of the Board shall be kept in book (hereinafter referred to as the Minutes Book).

(b) Every page of the Minutes Book shall be initialled or signed by the Chairman or the director, as the case may be, who presided at the meeting and last page of the record of proceedings of each meeting of such book shall be dated.

(2) Copies of such minutes shall be forwarded to each director as soon as possible after every meeting.

(3) When a business is transacted by circulation of papers, a record of business so transacted shall be signed by the Chairman and shall be entered in the Minutes Book.

(4) The minutes of each meeting shall be placed before the next meeting for confirmation.

(5) The minutes of meetings kept in accordance with the provisions of these rules shall be evidence of proceedings recorded therein.

[No. F. 12-3/86-RRB (15)]

का.आ. 73.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 29 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक और स्टेट बैंक ऑफ इंडिया के प्रारम्भ में निम्नलिखित नियम बनाती है अर्थात्:—

1. सक्षिक्षण नाम और प्रारम्भ :— (1) इन नियमों का नाम विदीशा भोपाल केन्द्रीय ग्रामीण बैंक (बोर्ड के अधिवेशन) नियम 1986 है।

(2) ये राजपत्र में प्रकाशन की तारीख से लागू होंगे।

2. परिभाषा:— इन नियमों में, जब तक कि संदर्भ में अन्यथा अपेक्षित न हो,—

(क) अधिवेशन में प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) अभिप्रेत है।

(ख) “बैंक” में विदीशा भोपाल केन्द्रीय ग्रामीण बैंक अभिप्रेत है।

(ग) ऐसे शब्दों और पदों के, जो इन नियमों में प्रयुक्त हैं और परिभाषित नहीं हैं किन्तु अधिनियम में परिभाषित है वही अर्थ हैं, जो उनके अधिनियम में हैं।

3. बोर्ड के अधिवेशनों को न्यूनतम संख्या :—एक वर्ष में बोर्ड के कम से कम छह अधिवेशन होंगे और हर तिमाही में कम से कम एक अधिवेशन होगा।

4. अधिवेशनों का संयोजन :—अधिवेशनों का संयोजन बोर्ड के अध्यक्ष द्वारा किया जाएगा।

5. अधिवेशनों का स्थान :— बोर्ड के अधिवेशन बैंक के मुख्य कार्यालय में अथवा अधिसूचित क्षेत्र में किसी ऐसे अन्य स्थान पर होंगे, जिसे बोर्ड विनिश्चित करे।

6. अधिवेशन की सूचना तथा कारबार की सूची :— (1) (क) बोर्ड प्रत्येक अधिवेशन का समय एवं स्थान अध्यक्ष द्वारा विनिश्चित किया जाएगा।

(ख) बोर्ड के अधिवेशन के लिए प्रत्येक निदेशक को अधिवेशन की तारीख में सांचारणतः कम से कम पन्द्रह दिन की सूचना दी जाएगी और प्रत्येक निदेशक को यह सूचना उसके द्वारा इस निमित विनियोग पर पर भेजी जाएगी।

(ग) अधिवेशन में किए जाने के लिए प्रस्तावित कारबार की सूची उक्त सूचना के साथ ही परिचालित की जाएगी।

(घ) उस कारबार के सिवाय जिसके लिए अधिवेशन बुलाया गया है, कोई अन्य कारबार अधिवेशन के अध्यक्ष तथा उपस्थित निदेशकों की बहसंख्या की सहमति के बिना तब तक नहीं किया जाएगा जब तक कि उस कारबार के बारे में अध्यक्ष को एक सभ्वाह की लिखित सूचना नहीं दे सके गई है।

(2) यदि बोर्ड का आवात अधिवेशन बुलाना आवश्यक होता प्रत्येक निदेशक को पर्याप्त समय पूर्व सूचना दी जाएगी।

7. बोर्ड का विशेष अधिवेशन:- (1) अध्यक्ष, इस प्रयोजन के लिए कम से कम चार निदेशकों से मांग प्राप्त होने पर बोर्ड का अधिवेशन बुलाएगा।

(2) इस मांग में उस प्रयोजन का उल्लेख होगा, जिसके लिए अधिवेशन बुलाने की अवेक्षा की गयी है।

(3) अधिवेशन मांग प्राप्त होने की तारीख से 21 दिन के भीतर ही बुलाया जाएगा।

8. बोर्ड के अधिवेशन के लिए गणपूर्ति की कुल संख्या के एक तिहाई या चार की, इनमें से जो अधिक हो, होगी।

परन्तु जहां इस अधिनियम की धारा 14 की उपधारा

(4) के उपबंध के कारण कोई निदेशक बोर्ड अधिनियम में विचार-विमर्श में भाग लेने के अथवा देने में असमर्थ हो, वहां गणपूर्ति तीन को होगी।

9. गणपूर्ति न होने के कारण अधिवेशन का स्थगन:- यदि बोर्ड का अधिवेशन, गण पूर्ति न होने के कारण नहीं हो सका हो तो अधिवेशन अगले सभ्वाह में उसी दिन, उसी स्थान एवं समय के लिए, अथवा यदि वह दिन सार्वजनिक अवकाश-दिन हो, तो उससे अगले दिन, जो सार्वजनिक अवकाश-दिन न हो, उसी समय और उसी स्थान के लिए स्थगित हो जाएगा।

परन्तु जहां गणपूर्ति न होने के कारण स्थगित अधिवेशन में कोई निदेशक अनुपस्थित रहा हो, वहां अध्यक्ष जिस तारीख तक के लिए अधिवेशन स्थगित हो उससे पूर्व उस निदेशक को यह सूचना भेजेगा कि गणपूर्ति न होने के कारण उस तारीख को अधिवेशन नहीं हुआ।

10 परिचालन द्वारा कारबार:- (1) यदि अध्यक्ष ऐसा निदेश दे, तो बोर्ड द्वारा किए जाने वाले कारबार को कागजों के परिचालन द्वारा निदेशकों (भारत में बाहर गए निदेशकों में भिन्न) को निर्दिष्ट किया जा सकता है।

(2) कोई भी कारबार जिसे उन्नियम (1) के अंतर्गत परिचालित किया गया हो और उन निदेशकों के बहुमत द्वारा अनुमोदित किया जा चुका हो, जिन्होंने अपने विचार लेख प्रदान किए हैं, उसी प्रकार प्रभावी और आवद्धकार होगा मानो ऐसा कारबार अधिवेशन में उपस्थित निदेशकों में बहुमत द्वारा विनिश्चित किया गया हो।

(3) परिचाल द्वारा पारित कोई मामला बोर्ड द्वारा उस तारीख को पारित किया गया माना जाएगा जिस तारीख को उस मामले पर अन्तिम हस्ताक्षरकर्ता ने हस्ताक्षर किए हों।

(4) यदि कोई मामला परिचालित किया जाता है तो उस परिचालन परिणाम से सभी निदेशकों को संसूचित किया जाएगा।

(5) कागजों के परिचालन द्वारा किसी प्रश्न पर किए गए सभी निर्णयों को अभिलेख के लिए अगले अधिवेशन में रखा जाएगा।

11. कारबार के अभिलेख:- (1) (क) बोर्ड के अधिवेशनों के कार्यवृत्तों को पुस्तकों (जिन्हें इसमें इसके पश्चात कार्यवृत्त पुस्तक कहा गया हो) में रखा जाएगा।

(ख) कार्यवृत्त पुस्तक का हर पृष्ठ, यथास्थिति, अध्यक्ष अथवा निदेशक, जिसमें अधिवेशन की अध्यक्षता की हो, द्वारा अधिकारित या हस्ताक्षरित किया जाएगा तथा ऐसी पुस्तक में प्रत्येक अधिवेशन की कार्यवाहियों के अभिलेख के अन्तिम पृष्ठ पर तारीख ढाली जाएगी।

(2) प्रत्येक अधिवेशन की समाप्ति के पश्चात् यथाशीघ्र इन कार्यवृत्तों की प्रतियां प्रत्येक निदेशक को भेजी जाएंगी।

(3) जब कोई कारबार या कागजों के परिचालन द्वारा किया जाए तो इस प्रकार किए गए कारबार के अभिलेख की अध्यक्ष द्वारा हस्ताक्षरित किया जाएगा और कार्यवृत्त पुस्तक में उसकी प्रथिष्ठि की जाएगी।

(4) प्रत्येक अधिवेशन के कार्यवृत्त पुष्टि के लिए अगले अधिवेशन में रखे जाएंगे।

(5) अधिवेशनों के व कार्यवृत्त, जो इन नियमों के उपबंधों के अनुसार रखे जाएंगे। उनमें अभिलिखित कार्यवाहियों का साक्ष्य होंगे।

[सं. एफ 12-3/86-आर.आर.बी. (16)]

S.O. 73.—In exercise of the powers conferred by section 29 of the Regional Rural Bank Act, 1976 (21 of 1976), the Central Government, after consultation with the Reserve Bank of India and State Bank of Indore hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the Vidisha Bhopal Kshetriya Gramin Bank (Meetings of Board) Rules, 1986.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—In these rules, unless the context otherwise requires:—

(a) “Act” means the Regional Rural Banks Act, 1976 (21 of 1976).

(b) “bank” means the Vidisha Bhopal Kshetriya Gramin Bank.

(c) words and expressions used herein and not defined but defined in the Act have the meanings, respectively, assigned to them in the Act.

3. Minimum number of meetings of the Board shall hold at least six meetings in a year and at least one meeting in every quarter.

4. Convening of meeting.—Meetings of the Board shall be convened by the Chairman.

5. Venue of the meetings.—The meetings of the Board shall be held at the head office of the bank or at such other place in the notified area as the Board may decide.

6. Notice of meeting and list of business.—(1) (a) The Chairman shall decide the time and place of every meeting of the Board.

(b) A notice of not less than fifteen days shall ordinarily be given to every director for a meeting of the Board and the notice shall be sent to every director at the address specified by him in this behalf.

(c) A list of business proposed to be transacted at the meeting shall be circulated alongwith the notice.

(d) No business, other than that for which the meeting was convened, shall be transacted at a meeting of the Board except with the consent of the Chairman of the meeting and a majority of the Directors present unless one week's notice of such business has been given in writing to the Chairman.

(2) Where it is necessary to call an urgent meeting of the Board, a notice of not less than seven days shall be given to each director.

7. Special meeting of the Board.—(1) The Chairman shall call a meeting of the Board after a requisition for that purpose has been received by him from not less than four directors.

(2) The requisition shall state the purpose for which the meeting is required to be called.

(3) The meeting shall be called not later than twenty-one days from the date of receipt of the requisition.

8. Quorum for a meeting.—A quorum for a meeting of the Board shall be one-third of the total number of directors or four whichever is higher.

Provided that where by reason of the provision of sub-section (4) of section 14 of the Act any director is unable to take part in the discussion of, or vote at, a meeting of the Board, the quorum shall be three.

9. Adjournment of meeting for want of quorum.—If a meeting of the Board could not be held for want of quorum, then the meeting shall automatically stand adjourned till the same day in the next week at the same time and place, or if that day is a public holiday, till the next succeeding day which is not a public holiday, at the same time and place :—

Provided that where a director is not present at a meeting adjourned for want of quorum, the Chairman shall, before the date to which the meeting stands ad-

journed, send notice to the director that the meeting was not held on the date for want of quorum.

10. Business by circulation.—(1) A business which is to be transacted by the Board may, if the Chairman so directs, be referred to directors (other than directors who are absent from India) by circulation of papers.

(2) Any business circulated under sub-rule (1) and approved by such number of directors as are necessary to constitute quorum for a meeting of the Board who have recorded their views in writing shall be as effectual and binding as if such business were decided by the majority of the directors present at a meeting.

(3) A business passed by circulation shall be deemed to be a business passed by the Board on the date it was signed by the last signatory to the business.

(4) If a business is circulated the result of the circulation shall be communicated to all the directors.

(5) All decisions on a question arrived at by circulation of papers shall be placed at the next meeting for record.

11. Records of Business.—(1) (a) The minutes of the meetings of the Board shall be kept in book (hereinafter referred to as the Minutes Book).

(b) Every page of the Minutes Book shall be initialed or signed by the Chairman or the director, as the case may be, who presided at the meeting and last page of the record of proceedings of each meeting of such book shall be dated.

(2) Copies of such minutes shall be forwarded to each director as soon as possible after every meeting.

(3) When a business is transacted by circulation of papers, a record of business so transacted shall be signed by the Chairman and shall be entered in the Minutes Book.

(4) The minutes of each meeting shall be placed before the next meeting for confirmation.

(5) The minutes of meetings kept in accordance with the provisions of these rules shall be evidence of proceedings recorded therein.

[No. F. 12-3/86-RRB (16)]

का. आ. 74.—प्रादेशिक प्रामीण बैंक अधिनियम, 1976, (1976 का 21) की धारा 29 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक और इण्डिया बैंक के परामर्श में निम्नलिखित नियत बनाती है, अर्थात्:—

1. मंधिष्ठ नाम और प्रारम्भ:—(1) इन नियमों का नाम बल्लालाल ग्राम्य बैंक (बोर्ड के अधिवेशन) नियम, 1986 है।

(2) ये राजपत्र में प्रकाशन की तारीख से लागू होंगे।

2. परिभाषा:—इन नियमों में, जब तक कि मंदर्भ में अन्यथा अपेक्षित न हो,—

(क) “अधिनियम” में प्रादेशिक प्रामीण बैंक अधिनियम, 1976 (1976 का 21) अभिप्रैत है।

(ख) "बॉर्ड" से बल्लालार ग्राम्य थैक अभिप्रेत है।
 (ग) ऐसे शब्दों और पदों, के जो इन नियमों में प्रयुक्त हैं और परिभाषित नहीं हैं किन्तु अधिनियम में परिभाषित हैं वही अर्थ हैं, जो उनके अधिनियम में हैं।

3. बोर्ड के अधिवेशनों का न्यूनतम संख्या—एक वर्ष में बोर्ड के कम से कम छह अधिवेशन होंगे और हर निमाहों में कम से कम एक अधिवेशन होंगा।

4. अधिवेशनों का संयोजन—अधिवेशनों का संयोजन बोर्ड के अध्यक्ष द्वारा किया जायेगा।

5. अधिवेशनों का स्थान—बोर्ड के अधिवेशन बैक के मुख्य कार्यालय में अथवा अधिसूचित क्षेत्र में ऐसे अन्य स्थान पर होंगे, जिसे बोर्ड विनिश्चित करे।

6. अधिवेशन की सूचना तथा कारबार की सूची—
 (1) (क) बोर्ड के प्रत्येक अधिवेशन का समय एवं स्थान अध्यक्ष द्वारा विनिश्चित किया जायेगा।

(ख) बोर्ड के अधिवेशन के लिए प्रत्येक निदेशक को अधिवेशन की तारीख से साधारणतः कम से कम पन्द्रह दिन की सूचना दी जायगी और प्रत्येक निदेशक को यह सूचना उसके द्वारा इस निमित विनिर्दिष्ट पते पर भेजी जायेगा।

(ग) अधिवेशन में किये जाने के लिए प्रस्तावित कारबार की सूची उक्त सूचना के साथ ही परिचालित की जायेगी।

(घ) उस कारबार के सिवाय जिसके लिए अधिवेशन बुलाया गया है, कोई अन्य कारबार अधिवेशन के अध्यक्ष तथा उपस्थित निदेशकों को बहुसंख्या की सहमति के बिना तब तक नहीं किया जायेगा जब तक कि उस कारबार के बारे में अध्यक्ष को भूताह की लिखित सूचना नहीं दे दी गयी है।

(2) यदि बोर्ड का आपात अधिवेशन बुलाना आवश्यक हो तो प्रत्येक निदेशक को पर्याप्त समय पूर्व सूचना दी जायेगी।

7. बोर्ड का विशेष अधिवेशन—(1) अध्यक्ष, इस प्रयोजन के लिए कम से कम चार निदेशकों से मांग प्राप्त होने पर, बोर्ड का अधिवेशन बुलायेगा।

(2) इस मांग में प्रयोजन का उल्लेख होंगा, जिसके लिए अधिवेशन बुलाने की अपेक्षा को गयी है।

(3) अधिवेशन मांग प्राप्त होने को तारीख से 21 दिन के भीतर हा बुलाया जायेगा।

8. बोर्ड के अधिवेशन के लिए गणपूर्ति निदेशकों को कुल संख्या के एकनिहाई या चार कर, इनमें मेंजो अधिक हों, होगा।

परन्तु जहां इस अधिनियम की धारा 14 की उपधारा (4) के उपर्युक्त के कारण कोई निदेशक बोर्ड के अधिवेशन में विचार-विमर्श में भाग लेने के अथवा मत देने में असमर्थ हो, वही गणपूर्ति नोन को होगा।

9. गणपूर्ति न होने के कारण अधिवेशन का स्थगनः—यदि बोर्ड का अधिवेशन, गणपूर्ति न होने के कारण नहीं हो भका हो तो अधिवेशन अगले मृताह में उसी दिन, उसी स्थान पूर्व समय के लिए अथवा यदि वह दिन सार्वजनिक अवकाश-दिन हो, तो उससे प्रगले दिन, जो सार्वजनिक अवकाश-दिन न हो, उसी समय और उसी स्थान के लिये स्वतः स्थागित हो जायेगा।

परन्तु जहां गणपूर्ति न होने के कारण स्थगित अधिवेशन में कोई निदेशक अनु स्थित रहा हो वहां अध्यक्ष जिस तारीख तक के लिये अधिवेशन स्थगित हो, उससे पूर्व उस निदेशक को यह सूचना भेजेगा कि गणपूर्ति न होने के कारण उस तारीख का अधिवेशन नहीं हुआ।

10. परिचालन द्वारा कारबार—(1) यदि अध्यक्ष ऐसा निदेश दे, तो बोर्ड द्वारा किये जाने वाले कारबार को कागजों के परिचालन द्वारा निदेशकों (भारत में बाहर गये निदेशकों से भिन्न) को निर्दिष्ट किया जा सकता है।

(2) कोई भी कारबार जिसे उपनियम (1) के अन्तर्गत परिचालित किया गया हो और उन निदेशकों के बहुमत द्वारा अनुमोदित किया जा चुका हो, जिन्होंने अपने विचार लेखबद्ध किये हों, उसी प्रकार प्रभावी और आवद्धकार होगा भानों ऐसा कारबार अधिवेशन में उपस्थित निदेशकों के बहुमत द्वारा विनिश्चित किया गया हो।

(3) परिचालन द्वारा पारित कोई मामला बोर्ड द्वारा उस तारीख को पारित किया गया माना जायेगा जिस तारीख को उन मामले पर अनिम हस्ताक्षरकर्ता ने हस्ताक्षर किये हों।

(4) यदि कोई मामला परिचालित किया जाता है तो उस परिचालन परिणाम में उसे निदेशकों को संभुचित किया जायेगा।

(5) कागजों के परिचालन द्वारा किसी प्रश्न पर किये गये भभी निर्णयों को अभिलेख के लिये अगले अधिवेशन में रखा जायेगा।

11. कारबार के अभिलेख—(1) (क) बोर्ड के अधिवेशनों के कार्यवृतों को पुस्तकों (जिन्हें इसमें इनके पश्चात कार्यवृत पुस्तक कहा गया हो) में रखा जायेगा।

(ख) कार्यवृत पुस्तक का हर पृष्ठ यथास्थिति, अध्यक्ष अथवा निदेशक, जिसमें अधिवेशन का अध्यक्षता को हो, द्वारा अंत्याखारित या हस्ताक्षरित किया जायगा तथा ऐसी पुस्तक में प्रत्येक अधिवेशन का कार्यवाहियों के अभिलेख के अन्तिम पृष्ठ पर तारीख दाना जायेगा।

(2) प्रत्येक अधिवेशन का समाप्ति के पश्चात प्रथार्थ द्वारा कार्यवृतों का प्रतियां प्रत्येक निदेशक को भेजी जायेगी।

(3) जब कोई कारबार या कागजों के परिचालन द्वारा किया जाये तो इस प्रकार किये गये कारबार के अभिलेख को अध्यक्ष द्वारा हस्ताक्षरित किया जायेगा और कार्यवृत्त पुस्तक में उसकी प्रविष्टि का जायेगा।

(4) प्रत्येक अधिवेशन के कार्यवृत्त पुस्ति के लिये प्रगते अधिवेशन में रखे जायेंगे।

(5) अधिवेशनों के बे कार्यवृत्त, जो इन नियमों के उपबंधों के अनुसार रखे जायेंगे, उनमें अतिलिखित कार्यवाहियों का साध्य होंगे।

[सं. एफ 12-3/86-प्रारम्भारबो (17)]

च. वा. भीरचन्द्रान्, निदेशक

S.O. 74.—In exercise of the powers conferred by section 29 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government, after consultation with the Reserve Bank of India and Indian Bank hereby makes the following rules, namely :—

1. Short title and commencement.—(1) These rules may be called the Vallalar Grama Bank (Meetings of Board) Rules, 1986.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—In these rules, unless the context otherwise requires :—

(a) "Act" means the Regional Rural Banks Act, 1976 (21 of 1976).

(b) "bank" means the Vallalar Grama Bank.

(c) words and expressions used herein and not defined but defined in the Act have the meanings, respectively, assigned to them in the Act.

3. Minimum number of meetings of the Board.—The Board shall hold at least six meetings in a year and at least one meeting in every quarter.

4. Convening of meetings.—Meetings of the Board shall be convened by the Chairman.

5. Venue of the meetings.—The meetings of the Board shall be held at the head office of the banks or at such other place in the notified area as the Board may decide.

6. Notice of meeting and list of business.—(1) (a) The Chairman shall decide the time and place of every meeting of the Board.

(b) A notice of not less than fifteen days shall ordinarily be given to every director for a meeting of the Board and the notice shall be sent to every director at the address specified by him in this behalf.

(c) A list of business proposed to be transacted at the meeting shall be circulated along-with the notice.

(d) No business, other than that for which the meeting was convened, shall be transacted at a meeting of the Board except with the consent of the Chairman of the meeting and a majority of the Directors present unless one week's notice of such business has been given in writing to the Chairman.

(2) Where it is necessary to call an urgent meeting of the Board, a notice of not less than seven days shall be given to each director.

7. Special meeting of the Board.—(1) The Chairman shall call a meeting of the Board after a requisi-

tion for that purpose has been received by him from not less than four directors.

(2) The requisition shall state the purpose for which the meeting is required to be called.

(3) The meeting shall be called not later than twenty-one days from the date of receipt of the requisition.

8. Quorum for a meeting.—A quorum for a meeting of the Board shall be one-third of the total number of directors or four whichever is higher.

Provided that where by reason of the provision of sub-section (4) of section 14 of the Act any director is unable to take part in the discussion of, or vote at, a meeting of the Board, the quorum shall be three.

9. Adjournment of meeting for want of quorum.—If a meeting of the Board could not be held for want of quorum, then the meeting shall automatically stand adjourned till the same day in the next week, at the same time and place, or if that day is a public holiday, till the next succeeding day which is not a public holiday, at the same time and place.

Provided that where a director is not present at a meeting adjourned for want of quorum, the Chairman shall, before the date to which the meeting stands adjourned, send notice to the director that the meeting was not held on the date for want of quorum.

10. Business by circulation.—(1) A business which is to be transacted by the Board may, if the Chairman so directs, be referred to directors (other than directors who are absent from India) by circulation of papers.

(2) Any business circulated under sub-rule (1) and approved by such number of directors as are necessary to constitute quorum for a meeting of the Board who have recorded their views in writing shall be as effectual and binding as if such business were decided by the majority of the directors present at a meeting.

(3) A business passed by circulation shall be deemed to be a business passed by the Board on the date it was signed by the last signatory to the business.

(4) If a business is circulated the result of the circulation shall be communicated to all the directors.

(5) All decisions on a question arrived at by circulation of papers shall be placed at the next meeting for record.

11. Records of business.—(1) (a) The minutes of the meetings of the Board shall be kept in book hereinafter referred to as the Minutes Book.

(b) Every page of the Minutes Book shall be initialed or signed by the Chairman or the director, as the case may be, who presided at the meeting and last page of the record of proceedings of each meeting of such book shall be dated.

(2) Copies of such minutes shall be forwarded to each director as soon as possible after every meeting.

(3) When a business is transacted by circulation of papers, a record of business so transacted shall be signed by the Chairman and shall be entered in the Minutes Book.

(4) The minutes of each meeting shall be placed before the next meeting for confirmation.

(5) The minutes of meetings kept in accordance with the provisions of these rules shall be evidence of proceedings recorded therein.

[No. F. 12-3/86-RRB(17)]

C. W. MIRCHANDANI, Director

केन्द्रीय उत्पाद शुल्क और सीमा-शुल्क बोर्ड

नई दिल्ली, 5 जनवरी, 1987

सं. 5/87-सीमा शुल्क

का. भा. 75:—केन्द्रीय उत्पाद शुल्क और सीमा शुल्क बोर्ड, सीमा शुल्क अधिनियम, 1962 (1962 का 52) की धारा 9 द्वारा प्रदत्त प्रक्रियों का प्रयोग करते हुए, अपनी अधिसूचना सं. 211/86-सीमा-शुल्क, तारीख 22 मार्च, 1986 को विवरित करता है।

[फा. सं. 474/25/86-सी. ष. VII]

एम भाइकल, अवर सचिव

CENTRAL BOARD OF EXCISE AND CUSTOMS

New Delhi, the 5th January, 1987

NO. 5/87-CUSTOMS

S.O. 75.—In exercise of the powers conferred by section 9 of the Customs Act, 1962 (52 of 1962), the Central Board of Excise and Customs hereby rescinds its notification No. 211/86-CUSTOMS, dated the 22nd March, 1986.

[F. No. 474/25/86-Cus. VII]
M. MICHAEL, Under Secy.

रेल मंत्रालय

(रेलवे बोर्ड)

नई दिल्ली, 26 दिसम्बर, 1986

का. भा. 76:—राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (2) पौर (4) के अनुसार में रेल मंत्रालय, रेलवे बोर्ड परिषद रेलवे के चर्चरेट स्टेन को, जहां के कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करता है।

[मंड्या हिन्दी—85/रा. भा. 1/12/1]

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 26th December, 1986

S.O. 76.—In pursuance of Sub-Rule (2) & (4) of Rule 10 of the Official Language (Use for the Official Purpose of the Union) Rules, 1976, the Ministry of Railways, Railway Board hereby notify the Churchgate station of Western Railway, where the staff have acquired the working knowledge of Hindi

[No. Hindi-85[OL-I]12/1]

का. भा. 77:—राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (2) पौर (4) के अनुसार में रेल मंत्रालय, रेलवे बोर्ड मध्य, उत्तर तथा पश्चिम

पौर पूर्वोत्तर सीमा रेलों के नियमित कार्यालयों को, जहां के कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करता है:—

मध्य रेलवे

बंगाल मण्डल

1. बोत्र अधीकार, बाड बन्दर
2. चिकित्सा अधीकार, डा. अधीकार अस्पताल, मायखला
3. वरिष्ठ मण्डल विद्युत इंज.नियर, कारगोड, कुर्ला
4. मण्डल विद्युत इंज.नियर (कर्वण चितरण) कुर्ला
5. सहायक सुरक्षा अधिकार, मुलुण
6. मण्डल विद्युत इंज.नियर, कारगोड, नालदार
7. बोत्र अधिकार, कल्याण
8. वरिष्ठ मण्डल विद्युत इंज.नियर, लोनावला
9. स्वेच्छा अधीकार, पुणे
10. वरिष्ठ मण्डल विद्युत इंज.नियर, (विद्युत लोको), कल्याण
11. सहायक इंज.नियर, इगतपुरा

शोलापुर मण्डल

12. मण्डल योग्यिक इंज.नियर (इ.जल) पुणे
13. नागपुर मण्डल

14. सहायक इंज.नियर, वर्धा
15. सहायक इंज.नियर, आमता
16. सहायक मण्डल चिकित्सा अधिकारी, वरोग
17. सहायक मण्डल चिकित्सा अधिकारी, बलाहारशाही

जबलपुर मण्डल

18. चिकित्सा अधीकार, जबलपुर
19. मण्डल लेखा अधिकार, जबलपुर
20. मण्डल सुरक्षा अधिकार, जबलपुर
21. सहायक मण्डल चिकित्सा अधिकार, कटनी
22. सहायक मण्डल चिकित्सा अधिकार, मरसिन्हपुर
23. सहायक मण्डल चिकित्सा अधिकार, सोहागपुर
24. सहायक मण्डल चिकित्सा अधिकारी, सतना
25. सहायक मण्डल चिकित्सा अधिकारी, मनिकपुर
26. महायक मण्डल चिकित्सा अधिकारी, दमोह
27. मण्डल चिकित्सा अधिकारी, र्यू कटनी
28. महायक मण्डल नियंत्रक (इ.जल) न्यू कटनी
29. बोत्र अधिकार, सतना

सांस्कीर्ण मण्डल

30. मण्डल चिकित्सा अधिकारी, ब.ना।
31. सहायक इंज.नियर, ब.ना।

उत्तर रेलवे

32. सहायक इंज.नियर, सूरतगढ़
33. सहायक इंज.नियर, नज.आवाद
34. सहायक इंज.नियर, हापुड़
35. सहायक इंज.नियर, चन्दौसी
36. सहायक इंज.नियर, बरेली
37. सहायक इंज.नियर, हरदोई
38. सहायक इंज.नियर, बारमेड़
39. सहायक इंज.नियर, बोधपुर
40. सहायक इंज.नियर, डेगाना।

प्रूर्वोत्तर सीमा रेलवे

कट्टिहार मण्डल

41. सहायक मुद्रण अधिकारी, कुमियांग

पश्चिम रेलवे

42. प्रधान कार्यालय, चर्चेट, बम्बई

[म. हिन्दी-86 रा. भा. 1/12/3]

एस. एम. वैश, सचिव, रेलवे बोर्ड

भारत सरकार के प्रति संयुक्त सचिव।

S.O. 77.—In pursuance of Sub-rule (2) and (4) of Rule 10 of the Official Language (use for the Official purposes of the Union) Rules 1976, the Ministry of Railways (Railway Board) hereby notify the following offices of the Central Northern, Western and N.F. Railways, where the staff have acquired the working knowledge of Hindi:—

Central Railway

Bombay Division.

1. Area Superintendent, Wadi Bunder.
2. Medical Superintendent, Dr. Ambedkar Hospital, Buculla.
3. Senior Divisional Electrical Engineer, Carshed, Kurla.
4. Divisional Electrical Engineer, (Traction Distribution), Kurla.
5. Assistant Security Officer, Mulund.
6. Divisional Electrical Engineer, Carshed, Kalwa.
7. Area Officer, Kalyan.
8. Senior Divisional Electrical Engineer, Lonavala.
9. Station Superintendent, Pune.
10. Senior Divisional Electrical Engineer (Electric Loco), Kalyan.
11. Assistant Engineer, Igatpuri.

Solapur Division

12. Divisional Mechanical Engineer (Diesel), Pune.

Nagpur Division

13. Divisional Medical Officer, Azni.
14. Assistant Engineer, Wardha.
15. Assistant Engineer, Amla.
16. Assistant Divisional Medical Officer, Warora.
17. Assistant Divisional Medical Officer, Balharshah.

Jabalpur Division.

18. Medical Superintendent, Jabalpur.
19. Divisional Accounts Officer, Jabalpur.
20. Divisional Security Officer, Jabalpur.
21. Assistant Divisional Medical Officer, Katni.
22. Assistant Divisional Medical Officer, Narsinghpur.
23. Assistant Divisional Medical Officer, Sohagpur.
24. Assistant Divisional Medical Officer, Satna.
25. Assistant Divisional Medical Officer, Manikpur.
26. Assistant Divisional Medical Officer, Bamoh.
27. Divisional Medical Officer, New Katni.
28. Assistant Controller of Stores (Diesel), New Katni.
29. Area Officer, Satna.

Jhansi Division.

30. Divisional Medical Officer, Bina.
31. Assistant Engineer, Bina.

Northern Railway.

32. Assistant Engineer, Suratgarh.
33. Assistant Engineer, Najibabad.
34. Assistant Engineer, Hapur.
35. Assistant Engineer, Chandausi.
36. Assistant Engineer, Bareilly.

37. Assistant Engineer, Hardoi.

38. Assistant Engineer, Barmer.

39. Assistant Engineer, Jodhpur.

40. Assistant Engineer, Degana.

Northeast Frontier Railway

Katihar Division.

41. Assistant Printing Supdt., Kurseong.

Western Railway.

42. Head-quarter Office, Churchgate, Bombay.

[No. Hindi-86|OL-I|12/3]

S. M. VAISH, Secy. Railway Board & Ex-office Jt. Secy.
to the Government of India.

संचार मंत्रालय

(दूर संचार विभाग)

नई दिल्ली, 23 दिसम्बर, 1986

का. भा. 78 :—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार महानिवेशक, दूरसंचार विभाग ने वेलूर, परमसि, कलिपालपाटम, किलवेलूर, कुलिसल, मछालूर, लालापेट, सिवायम, आपूर, कासिपालपाटम, जमबुनाथपुरम, कोलकूडि तथा कनकांग-चातम टेलीफोन केन्द्रों तमिलनाडु संकिल, में दिनांक 23-1-1987 से प्रमाणित दर प्रणाली लागू करने का निष्पत्ति किया है।

[संख्या 5-26/86-पी एच बी]

MINISTRY OF COMMUNICATIONS

(Department of Telecommunications)

New Delhi, the 23rd December, 1986

S.O. 78.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. 627 dated 8th March, 1960, the Director General Department of Telecommunications, hereby specified 23-1-87 as the date on which the Measured Rate System will be introduced in Velur (Salem), Paramathy, Kallipalayam, Kilvelur, Kulithalai, Nachalur, Lalapet, Sivayam, Amoor, Kasipalayam, Jambunathapuram, Kolakudi and Kanakammachatram Telephones Exchanges, Tamil Nadu Telecommunications Circle.

[No. 5-26/86-PHB]

का. भा. 79 :—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार महानिवेशक, दूरसंचार विभाग ने वापिम टेलीफोन केन्द्र महाराष्ट्रा संकिल, में दिनांक 15-1-1987 से प्रमाणित दर प्रणाली लागू करने का निष्पत्ति किया है :

[संख्या 5-27/86-पी एच बी (भाग)]

S.O. 79.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Department of Telecommunications, hereby specified 15-1-87 as the date on which the Measured Rate System will be introduced in Washim Telephone Exchange, Maharashtra Telecom. Circle.

[No. 5-27/86-PHB(Pt.)]

नई शिल्पी, 24 दिसम्बर, 1986

का. आ. 80 :—स्थायी आवेदा संख्या 627, विनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम 1951 के नियम 434 के खंड III के दैरा (क) के अनुसार महानिवेशक, दूरसंचार विभाग ने तामानि, मरांचरो तथा एडप्पल टेलाफोन केन्द्र, केरल सकिल, में दिनांक 15-1-1987 से प्रमाणित दर प्रणाली लागू करने का निष्पत्ति किया है।

[सं. 5-32/86-पी एच बी]

New Delhi, the 24th December, 1986

S.O. 80.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Department of Telecommunications, hereby specifies 15-1-1987 as the date on which the Measured Rate System will be introduced in Ponnani, Marancherry and Edappal Telephone Exchanges, Kerala Telecom. Circle.

[No. 5-32/86-PHB]

का. आ. 81 :—स्थायी आवेदा संख्या 627, विनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम 1951 के नियम 434 के खंड III के दैरा (क) के अनुसार महानिवेशक, दूरसंचार विभाग ने कीपन टेलाफोन केन्द्र, कर्नाटक सकिल, में विनांक 16-1-1987 से प्रमाणित दर प्रणाली लागू करने का निष्पत्ति किया है।

[संख्या 5-22/86-पी एच बी]

S.O. 81.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Department of Telecommunications, hereby specifies 16-1-1987 as the date on which the Measured Rate System will be introduced in Koppal Telephone Exchanges, Karnataka Telecom. Circle.

[No. 5-22/86-PHB]

नई शिल्पी, 29 दिसम्बर, 1986

का. आ. 82—स्थायी आवेदा संख्या 627, विनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम 1951 के नियम 434 के खंड III के दैरा (क) के अनुसार महानिवेशक, दूरसंचार विभाग ने तिरुमूलायासल तथा मवानम टेलीफोन केन्द्रों तमिलनाडु सकिल, में दिनांक 16-1-1987 से प्रमाणित दर प्रणाली लागू करने का निष्पत्ति किया है।

[संख्या 5-26/86-पी एच बी]

New Delhi, the 9th December, 1986

S.O. 82.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Department of Telecommunications, hereby specifies 16-1-1987 as the date on which the Measured Rate System will be introduced in Tirumulaiyal and Madalam Telephone Exchanges, Tamil Nadu Telecom. Circle.

[No. 5-6/86-PHB]

का. आ. 83 :—स्थायी आवेदा संख्या 627, विनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम 1951 के नियम 434 के खंड III के दैरा (क) के अनुसार महानिवेशक, दूरसंचार विभाग ने

सर्वेकाटमयंडम टेलीफोन केन्द्र, तमिलनाडु सकिल, में विनांक 16-1-1987 से प्रमाणित दर प्रणाली लागू करने का निष्पत्ति किया है।

[संख्या 5-33/86-पी एच बी]

के. पी. शर्मा, सहायक महानिवेशक (पी. एच. बी.)

S.O. 83.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Department of Telecommunications, here by specifies 16-1-1987 as the date on which the Measured Rate System will be introduced in Servaikar annamadam Telephone Exchanges, Tamil Nadu Circle.

[No. 5-33/86-PHB]

K. P. SHARMA, Asstt. Director General (PHB)

ऊर्जा मंत्रालय

(कोयला विभाग)

नई शिल्पी, 23 दिसम्बर, 1986

का. आ. 84 :—केन्द्रीय भरकार को यह प्रतीत होता है कि इसमें उत्तराखण्ड अनुसूची में उलिकित भूमि में कोयला अधिप्राप्त किए जाने की संभावना है।

प्रतः, केन्द्रीय सरकार, कोयला धारक खेत्र (भर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) द्वारा प्रदत्त विकितों का प्रयोग करते हुए, उस खेत्र में कोयले का पूर्वकल करने के द्वारा शायद की सूचना देती है;

इस अधिसूचना के अधीन प्राप्त वाले खेत्र के रेखांक सं. सी 1 (ई)/III/एक एक धारा/357-846 तारीख 16 अगस्त, 1986 का निरीक्षण, वेस्टर्न कोलकाल्कुल्स लि. (राजस्व अनुभाग), कोल एस्टेट, सिविल लाइंस, मानपुर-440001 के कार्यालय में या कलेस्टर, बेतुल (मध्य प्रदेश) के कार्यालय में अध्यक्ष कोयला नियंत्रक, 1-कार्वलिस हाउस स्ट्रीट, कलकत्ता के कार्यालय में किया जा सकता है।

इस अधिसूचना के अधीन प्राप्त वाली भूमि में हितवद्ध सभी व्यक्ति उत्तर अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चाटी और अन्य वस्तावेजों को, इस अधिसूचना के प्रकाशन की तारीख से बढ़ते दिन के भीतर, राजस्व अधिकारी, वेस्टर्न कोलकाल्कुल्स लि., कोल एस्टेट, सिविल लाइंस, मानपुर-440001 को परिवर्त दिया जाएगा।

अनुसूची

छतरपुर खाल

पठांखोरा कोयला खेत्र

जिला बेतुल (मध्य प्रदेश)

क्र. ग्राम का नाम	पटवारी	तहसील	जिला	क्षेत्र में हेटर	टिप्पणी
सं.		सकिल		में	

1. कोरिया उमरी	23	बेतुल	बेतुल	620.000	पूर्ण
2. छतरपुर	23	बेतुल	बेतुल	1085.394	भाग
3. झोमापुर	23	बेतुल	बेतुल	69.254	भाग
4. सलैया	24	बेतुल	बेतुल	130.000	भाग

कुल क्षेत्र—1904.648

हेटर (लगभग)

4706.48 एकड़ (लगभग)

सीमा वर्णन :

क—ख रेखा बिन्दु "क" के प्रारंभ होती है और बगडोना तथा छतरपुर ग्राम की सामान्य सीमा के साथ-साथ जाती है और बिन्दु "ख" पर मिलती है।

क—ग—घ रेखा छतरपुर और शोभागुर ग्राम से होकर जाती है और बिन्दु "घ" पर मिलती है।

घ—इ—ज रेखा, कोपता धारक लेव (प्रज्ञन और विकास) प्रधिनियम, 1957 (1957 का 20) की घारा 9 की उपधारा (1) के अधीन इधिसूचना मं. का. आ. सं. 2617 तारीख 9 सितम्बर, 1978 द्वारा पहले से ही प्रज्ञन पठाखेरा ब्लाक-III की पश्चिमी और उत्तरी सीमा के साथ-साथ जाती है, और बिन्दु "ज" पर मिलती है।

ज—छ—ज' रेखा सावा नदी की मध्य रेखा साथ-साथ जाती है और बिन्दु "ज'" पर मिलती है।

ज—इ रेखा ग्राम केरिया-उमरी और सलैया ग्राम के आरक्षित व तथा आरक्षित बन की सामान्य सीमाओं के साथ-साथ जाती है और बिन्दु "इ" पर मिलती है।

ज—ट रेखा, ग्राम सलैया से होकर जाती है और बिन्दु "ट" पर मिलती है।

ट—क रेखा, सलैया और छतरपुर ग्राम की सामान्य सीमा के साथ-साथ जाती है और बिन्दु "क" पर मिलती है।

[सं. 43015/16/86-सी. ए.]

मध्य सिंह, अवर सचिव

MINISTRY OF ENERGY

(Department of Coal)

NEW DELHI, The 23rd December, 1986.

S.O. 84.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1951 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan bearing No. C—1(E)/III/FFR/357—886 dated the 16th August, 1986 of the area covered by this notification can be inspected at the Office of the Western Coalfields Limited (Revenue Section), Coal Estate, Civil Lines, Nagpur-440001 or at the Office of the Collector, Betul (Madhya Pradesh) or at the Office of the Coal Controller-1, Council House Street, Calcutta.

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Revenue Officer, Western Coalfields Limited, Coal Estate, Civil Lines, Nagpur 440001, within ninety days from the date of publication of this notification.

THE SCHEDULE

CHHATTARPUR BLOCK

PATHAKHERA COALFIELD

DISTRICT BETUL (MADHYA PRADESH)

Serial No.	Name of Village	Patwari circle	Tehsil	District	Area in hectares	Remarks
1.	Keria-Umri	23	Betul	Betul	620.000	Full
2.	Chhattarpur	23	Betul	Betul	1085.394	Part
3.	Sobhapur	23	Betul	Betul	69.154	Part
4.	Salaiya	24	Betul	Betul	130.000	Part

Total area 4706.48 acres (approximately) or 1904.648 hectares (Approximately),

BOUNDARY DESCRIPTION

A—B Line starts from point 'A' and passes along the common boundary of villages Bagdona and Chhattarpur and meets at point 'B'.

B—C—D Line passes through villages Chhattarpur and Sobhapur and meets at point 'D'.

D—E—F Line passes along the western and northern boundary of Pathakhera Block III already acquired under sub-section (1) of section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 vide notification S.O.No.2617 dated the 9th September, 1978 and made at point 'F'.

F—G—H Line passes along the centre line of river, Tawa and meets at point 'H'.

H—I—J Line passes along the common boundary of village Keria-Umri and reserve forest of village Salaiya and reserve forest and meets at point 'J'.

J—K Line passes through village Salaiya and meets at point 'K'.

K—A Line passes along the common boundary of villages Salaiya and Chhattarpur and meets at starting point 'A'.

[No. 43015/16/86 CA]

SAMAY SINGH, Under Secy.

अम भवालय

नई दिल्ली 22 दिसम्बर, 1986

का.आ. 85.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसे करमा अधिकारित था, औद्योगिक विवाद प्रधिनियम, 1947 (1947 का 14) की घारा 2 के खंड (३) के उपखंड (६) के उपखंडों के प्रमुखरण में भारत सरकार के अम भवालय, की इधिसूचना संख्या का.आ. 2532 दिनांक 30 जून, 1986 द्वारा किसी भी अनियंत्रित तेल (काला तेल) मोटर और विमान, स्प्रिट, डीजल तेल, मिटटी का तेल, ईयम तेल, विविध हाइड्रोकार्बन तेल और उनके मिश्रण, जिनमें सिर्पेटिक ईयम, स्लेप्ट तेल और इसी प्रकार के तेल शामिल हैं, के नियमण या उत्पादन में लगे उद्योग में सेवाओं को उक्त अधिनियम के प्रयोगों के लिये 30 जून, 1986 से उह मास की कालावधि के लिये लोक उपयोग सेवा अधिकारि किया गया।

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छह मास की और कालावधि के लिये बढ़ाया जाना अपेक्षित है,

अतः, अब, औद्योगिक विद्याद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (d) के उपखंड (6) के परन्तु द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिये 30 दिसम्बर, 1986 से छह मास की और कालावधि के लिये लोक उपयोगी सेवा घोषित करती है।

[सं. एस-11017/2/84-डी-1(ए)]

MINISTRY OF LABOUR

New Delhi, the 22nd December, 1986

S.O. 85.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (iv) of clause (a) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour, S.O. No. 2532 dated the 30th June, 1986 the industry engaged in the manufacture or production of mineral oil (crude oil), motor and aviation spirit, diesel oil, kerosene oil, fuel oil, diverse hydrocarbon oils and their blends including synthetic fuels lubricating oils and the like, to be a public utility service for the purposes of the said Act, for a period of six months, from the 30th June, 1986;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act, for a further period of six months from the 30th December, 1986.

[No. S-11017/2/84-D.I(A)]

नई दिल्ली, 24 दिसम्बर, 1986

का.प्रा. 86:—केन्द्रीय सरकार में यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था औद्योगिक विद्याद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (d) के उपखंड (6) के उपबन्धों के अनुसरण में भारत सरकार के अम मंत्रालय की अधिकृतवाद संघरा का.प्रा. 2221 दिनांक 27 मई, 1986 द्वारा बैंकिंग उद्योग को उक्त अधिनियम के प्रयोजनों के लिये 29 जून, 1986 से छ: मास की कालावधि के लिये लोक उपयोगी सेवा घोषित किया था।

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छ: मास की और कालावधि के लिये बढ़ाया जाना अपेक्षित है:

अतः, अब, औद्योगिक विद्याद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (d) के उपखंड (6) के परन्तु द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिये 29 दिसम्बर, 1986 से छ: मास की और कालावधि के लिये लोक उपयोगी सेवा घोषित करती है।

[सं. एस-11017/2/85-डी-1(ए)]

New Delhi, the 24th December, 1986

S.O. 86.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour, S.O. No. 2221 dated the 27th May, 1986 the Banking Industry carried on by a Banking Company as defined in clause (bb) or section 2 of the said Act to be a public utility service for the purpose of the said Act, for a period of six months from the 20th June, 1986;

And whereas, the Central Government is of opinion that public interest requires the extension for the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 29th December, 1986.

[No. S. 11017/2/85-D. I(A)]

का.प्रा. 87:—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था औद्योगिक विद्याद अधिनियम, 1947 (1947 का 14) की धारा 3 के खंड (d) के उपखंड (6) के उपबन्धों के अनुसरण में, भारत सरकार के अम मंत्रालय की अधिकृतवाद संघरा का.प्रा. 2603 दिनांक 4 जूनाई, 1936 द्वारा बैंक नोट प्रेस, देवाम (म.प्र.) को उक्त अधिनियम के प्रयोजनों के लिये 15 जूनाई 1986 से छ: मास की कालावधि के लिये लोक उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छ: मास की और कालावधि के लिये बढ़ाया जाना अपेक्षित है;

अतः, अब, औद्योगिक विद्याद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (d) के उपखंड (6) के परन्तु द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों लिये 15 जूनवरी, 1987 से छ: मास की और कालावधि के लिये लोक उपयोगी सेवा घोषित करती है।

[सं. एस-11017/14/85-डी-1(ए)]

भद्र लाल, अध्यक्ष सचिव।

S.O. 87.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. 2603 dated the 4th July, 1986 the Bank Note Press, Dewas (MP) to be a public utility service for the period of six months, from the 15th July, 1986;

And whereas, the Central Government is of opinion that public interest requires that extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 15th January, 1987.

[No. S-11017/14/85- I(A)]
NAND LAL, Under Secy.

नई दिल्ली, 22 दिसम्बर, 1986

का.प्रा. 88:—उत्प्रवास अधिनियम, 1983 (1983 का 31) की धारा 5 के साथ पठित धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, अम मंत्रालय (उत्प्रवास संरक्षी का कार्यालय नई दिल्ली) में सहायक श्री प्रेम कुमार को उत्प्रवास संरक्षी, दिल्ली की ओर से पासपोर्ट पर गुड़ाकर्तों पर हस्ताभास करने के लिये केवल उम्ही मामलों में 29-12-1986 (पूर्वाह्न) से प्राविष्ट करती है जहां उत्प्रवास संरक्षी, दिल्ली से स्कूक्षित दो दो हैं या स्थगन आवेदन पारित कर दिये हैं, जैसा भी मामला हो।

[मा. न-22012/1/83-उप्रवा-II]

New Delhi, the 22nd December, 1986

S.O. 88.—In exercise of the powers conferred by section 3 read with section 5 of the Emigration Act, 1983 (31 of 1983), the Central Government hereby authorises Shri Prem Kumar, Assistant, Ministry of Labour (Office of the Protector of Emigrants, New Delhi) to sign the endorsements on passports on behalf of the Protector of Emigrants, Delhi only in such cases where the Protector of Emigrants, Delhi has approved clearance or passed orders for suspension as the case may be with effect from 29-12-1986 (Forenoon).

[No. A-22012/1/86-Emig. II]

का. प्रा. 89.—उत्प्रवास प्रधिनियम, 1983 (1983 का 31) की धारा 5 द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उत्प्रवास संरक्षण चांडीगढ़ के कार्यालय में अम मंडलालय के श्री रनबीर सिंह अनुभाग प्रधिकारी, को 1 जनवरी, 1987 से अगले आदेश जारी होने तक उत्प्रवास संरक्षी के भवस्त कार्य करने के लिए प्राप्तिकरती है।

[संख्या प्रा-22012/1/86-उत्प्रवास-II]

अमितदास गुप्ता, अवर. सचिव

S.O. 89.—In exercise of the powers conferred by section 5 of the Emigration Act, 1983 (31 of 1983), the Central Government hereby authorises Shri Ranbir Singh, Section Officer, Ministry of Labour to perform all functions of Protector of Emigrants in the Office of the Protector of Emigrants, Chandigarh with effect from 1st January, 1987 till further orders.

[No. A-22012(1)/86-Emig. II]
AMIT DAS GUPTA, Under Secy.

नई दिल्ली, 22 दिसम्बर, 1986

का. प्रा. 90:—श्रीशोगिक विवाद प्रधिनियम, 1947 (1947 का 4) का धारा 17 के अनुसरण में, केन्द्रीय सरकार देना थैक, के प्रशंसन से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, प्रत्यंषिष्ठ श्रीशोगिक विवाद में केन्द्रीय सरकार श्रीशोगिक प्रधिकरण कासपुर के पंचाट को प्रकाशित करता है, जो केन्द्रीय सरकार को 11-12-86 को प्राप्त हुआ था।

New Delhi, the 22nd December, 1986

S.O. 90.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the Dena Bank and their workmen which was received by the Central Government on the 11th December, 1986.

BEFORE SHRI R. B. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, KANPUR

Industrial Dispute No. 245/85

Reference No. L-22012/218/84-D. II(A) : dated 27-4-85
In the matter of dispute between:

Shri Satish Singh

Applicant.

Versus

The Regional Manager, Dena Bank, Regional Office, Gedore House, 4th Floor, 51-52, Nehru Place, New Delhi Opp. Party.

AWARD

1. The Central Government Ministry of Labour vide its Notification No. L-22012/218/84-D.II(A) dt. 27-4-85 has referred the following dispute for adjudication on this tribunal :

"Whether the action of the management of Dena Bank in terminating the services of Shri Satish Singh, S/o Shri Chhithal Singh, Sub. staff at Babuganj Branch, District Allahabad with effect from 15-4-82 and not considering him for further employment while engaging fresh hands is justified? If not, to what relief is the workman concerned entitled?"

2. Workman submitted his statement of claim and the management filed written statement thereon.

3. At later stage parties submitted settlement verified the same before the court and requested for giving award in terms of the settlement.

4. The case was ordered to be decided in terms of settlement.

5. In consequence of the settlement filed and verified before court award is hereby given in terms of settlement as under :—

Terms of Settlement

1. That the parties to the above dispute have mutually agreed to settle the above dispute on the following terms :—

(a) That the bank will give a fresh employment to Shri Satish Singh as a permanent part time cleaner to work for more than six hours and upto thirteen hours per week basis and he would be paid 1/3rd pay and allowance as per Bipartite settlement in any of the branches in our Region. The petitioner will be taken as full time employee when the present senior part timers working for 1/3rd wages are absorbed as full time employee.

(b) That Shri Satish Singh will not be entitled to back wages and continuity of service.

(c) That the present settlement will not create any precedent in regard to matter in controversy in future.

(d) That the bank will give employment to Shri Satish Singh within one months of this consent Award.

I, therefore given my settlement award accordingly.

Let six copies be sent to the Government for its publication.

Sd/- R. B. SRIVASTAVA, Presiding Officer

Sd/-

1-12-86

[No. L-22012(218)/84-D. II(A)]

N. K. VERMA, Desk Officer.

नई दिल्ली, 24 दिसम्बर, 1986

का. प्रा. 91:—कर्मचारी राज्य बीमा प्रधिनियम, 1948 (1948 का 34) को धारा 1 की उपस्थाता (3) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एन्ड्राधा० 1 जनवरी, 1987 को उस नारीश ५ रुप में नियन्त करती है, जिसको उक्त प्रधिनियम के अध्याय 4 (धारा 44 प्रारं 45 के विवाद को पहले ही प्रदूष की जा चुकी है)

मीर भ्रष्टाय 5 और 6 (धारा 76 का) उपधारा (1) मीर भारा 77, 78, 79 और 80 के सिवाय जो पहले ही प्रवृत्त की जा चुकी हैं, के उपरब्द उड़ाना राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात् :—

“जिला पुरी के तहसील और एन.ए.सी. खुर्दा में राजस्व प्राप्त मुकुंदा प्रसाद, सन पल्ला जाजारसिंग, खुर्दा, जिमाराई, राजामोहन-पुर, गुरुजंग और जगन्नाथपुर के अस्तर्गत ग्राम वाले क्षेत्र।”

[संख्या एस-38013/37/86-एस.एस.-I]

श्री. प्रार. खुराना, अम एवं रोजगार सलाहकार

New Delhi, the 24th December, 1986

S.O. 91.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1 January, 1987 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Orissa, namely :—

“The areas comprising of the revenue villages of Mukunda Prasad, Sampalla, Jajarsing, Khudra, Jemadei, Radhamohanpur, Gurujang and Jagannathpur in the Tehsil and NCA Khuida in the District of Puri.”

[File No. S-38013/37/86-S.S. I]

I. R. KHURANA, Labour and Employment Adviser

नई दिल्ली, 26 दिसम्बर, 1986

शुद्धि-पत्र

का. आ. 92.—अम मंत्रालय की दिनांक 9 दिसम्बर, 1986 की प्रधिकारिता संख्या एस-32013/1/85-डी-4(ए) : में अंतिम विक्षिप्त में “26 दिसम्बर, 1986” शब्दों और अंकों के स्थान पर “28 दिसम्बर 1986” शब्द और अंक प्रतिस्थापित किए जाएं।

[संख्या एस-32013/1/85-डी-4(ए)]

के. जे. वैदा प्रसाद, डेस्क प्रधिकारी

New Delhi, the 26th December, 1986

CORRIGENDUM

S.O. 92.—In the Ministry of Labour Notification No. L-32013/1/85-D. IV(A), dated 9th December, 1986, the words and figures “26th November, 1986” appearing in the last line may be substituted by the words and figures “28th November, 1986”.

[No. L-32013/1/85-D. IV (A)]

K. J. DYVA PRASAD, Desk Officer

नई दिल्ली, 26 दिसम्बर, 1986

का. आ. 93.—प्रौद्योगिक विवाद प्रधिकारी, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, पाल्स मैट्रल बैंक लि. के प्रबंधालंब से सम्बद्ध नियोजकों और उनके कार्यालयों के बीच अनुबंध में निर्दिष्ट प्रौद्योगिक विवाद में प्रौद्योगिक अधिकारण तमिलनाडु के पंचायत को प्रकाशित करती है, जो केन्द्रीय सरकार को 4 दिसम्बर, 1986 को प्राप्त हुआ था।

New Delhi, the 26th December, 1986

S.O. 93.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Industrial Tribunal, Tamil Nadu as shown in the Annexure in the Industrial Dispute between the employers in relation to the

Parur Central Bank Ltd. and their workmen, which was received by the Central Government on the 16th December, 1986.

BEFORE THIRU FYZEE MAHMOOD, B.Sc. B.I.,
PRESIDING OFFICER,
INDUSTRIAL TRIBUNAL, TAMIL NADU,
MADRAS.

(Constituted by the Central Government)

Monday, the 1st day of December, 1986.

Industrial Dispute No. 73 of 1984

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the Management of Parur Central Bank Limited, Attingal, Kerala State).

BETWEEN

The workmen represented by The General Secretary, Parur Central Bank Employees' Union, Central Office, Post Box No. 5, North Parur-683 513.

AND

The Chairman,

Parur Central Bank Limited, Head Office, North Parur Post Box No. 3, N. Parur-683 513.

REFERENCE.

Order No. L-12011/3/84-D.IV(A), dated 13-9-1984 of the Ministry of Labour and Rehabilitation Government of India, New Delhi.

This dispute coming on for final hearing on Tuesday, the 11th day of November, 1986 upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing the arguments of Thiru N. G. R. Prasad for Thiruvalargal Row and Reddy and R. Rajaram, Advocates appearing for the workmen and of Thiru M. Venugopalan, Advocate appearing for the Management and this dispute having stood over till this day for consideration, this Tribunal made the following.

AWARD

This dispute between the workmen and the Management of Parur Central Bank Limited, Attingal, Kerala State arises out of a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947 by the Government of India in it. Order No. 12011/3/84-D.IV(A), dated 13-9-1984 of the Ministry of Labour and Rehabilitation for adjudication of the following issue:

Whether the action of Parur Central Bank Limited in dismissing S/Shri S. Vijayan Nair and A. Ramachandran, Clerk-cum-Cashier from service of the Bank with effect from 1-2-1984 is justified? If not, to what relief are the workmen entitled?

(2) It is stated in the claim statement filed that Thiru A. Ramachandran joined the Bank in the year 1979 and was working as a Collection Clerk. On 3-1-1983, he was working as a cashier in the leave vacancy of a permanent cashier. On that day there was heavy transaction of business and at the end of the day Thiru A. Ramachandran noticed a cash shortage of Rs. 3010. He brought it to the notice of the Assistant Manager. Every possible verification was made to find out how the shortage occurred and Thiru A. Ramachandran made good the shortage by pledging jewels and remitting the amount to the Bank. In spite of this, he was charged with temporary misappropriation and for not tallying the cash. He gave an explanation denying the charges. A domestic enquiry was held, in which the charges levelled against the delinquent were held proved. It is submitted that the findings of the Enquiry Officer are perverse and not based on the evidence on record. The punishing

authority had not taken the previous record and extenuating circumstances into account before imposing the punishment of dismissal, and this is in violation of Para 19.12(c) of the Bipartite Settlement which is applicable to the Respondent-Bank. It is further stated that in the Second Show Cause Notice, the findings of the Enquiry Officer were not furnished to the employee and so the said order of dismissal cannot be sustained. Hence it is prayed that he may be directed to be reinstated with back wages, continuity of service and other attendant benefits.

(3) As far as Thiru S. Vijayan Nair is concerned, it is stated that he was employee as a Cashier in the Respondent-Bank in their Attingal Branch, Trivandrum District. He had put in 9 years of unblemished service. On 31-1-1983, he was issued with a charge memo in relation to the incident which had taken place on 22-12-1982 for misappropriating a sum of Rs. 2500/- and refusing to close the cash and disobeying the orders of the superior. He gave a detailed explanation denying the charges. A domestic enquiry was conducted on the charges framed against the delinquent and he was found guilty of the charges. It is submitted that the findings of the Enquiry Officer are perverse and not based on the evidence on record. The delinquent had not committed any misconduct. There was no reference to the past record of service or extenuating circumstances in the order of dismissal passed which is violation in Para 19.12(c) of the Bi-partite Settlement applicable to the Respondent-Bank. The delinquent was not furnished the findings of the Enquiry Officer and therefore the order of dismissal must be set aside. In any way it is submitted that this is a case which warrants interference by the Tribunal under Section 11-A of the Industrial Disputes Act. Hence he may be directed to be reinstated with back wages, continuity of service and other attendant benefits.

(4) In the counter statement filed by the Respondent-Bank, the allegations made in the claim statement are denied. It is stated that fair and proper enquiry was conducted against both the employees for the misconduct committed by them. Enquiries were conducted against the delinquents separately. It is submitted that the findings of the Enquiry Officers were based on the evidence on record. Accepting the findings of the Enquiry Officers, show cause notices were issued to both the employees as to why punishment of dismissal from service should not be imposed. It was not necessary to furnish copy of the enquiry findings at the stage of the proposed punishment and they were furnished to the delinquents after the dismissal order as contemplated by the provisions of the Bi-partite Settlement. The punishment of dismissal awarded to the two employees is bona fide and justified and does not call for any interference under Section 11-A of the Industrial Disputes Act. Hence the reference has to be rejected.

(5) The point for consideration is as contained in the reference.

(6) No oral evidence was adduced on both sides. Exs. W-1 to W-24 and M-1 to M-52 were marked by consent.

(7) The reference deals with dismissal for misconduct of two employees Thiruvalargal A. Ramachandran and S. Vijayan Nair who were both working in the Attingal Branch of the Parur Central Bank Limited.

(8) The case of non-employment of Thiru A. Ramachandran shall be dealt with first. This employee joined the Bank in the year 1979 as a Collection Clerk and in January, 1983, he was temporarily working as a Cashier in the leave vacancy of the permanent cashier. In respect of an incident which took place on 3-1-1983 when he was working as Cashier in the Attingal Branch of the Respondent-Bank, a charge memo, marked as Ex. W-4 dated 4-2-1983 was issued to him. The charge memo reads as follows:

"1. While you were working as Cashier in the Attingal Branch of the Bank on 3-1-1983, the accounts and cash balance at your counter were checked. The Assistant Manager of the Bank Sri I. K. Shree made physical verification of the cash balance and the accounts. The cash and recorded accounts

were not tallying evidencing a shortage of Rs. 3010/- This was brought to your notice then and there. You had no explanation for the shortage and collusively made up the shortage.

2. The actual shortage and your silence at the time of finding out the shortage clearly shows that you were conscious of the shortage. There is no doubt that you are fully aware of your responsibility as Cashier that the Bank's cash always tally with the accounts. You have failed in discharging this responsibility and had temporarily misappropriated the Bank's money for unauthorised purposes."

To this, he submitted an explanation which has been marked as Ex. W-5. According to his explanation he had reported about the cash shortage after verification to the Assistant Manager who later confirmed the shortage. There were heavy financial transactions on that day and he had no previous experience of cashier and therefore the shortage had occurred. As the shortage could not be traced, he made good the amount and requested that disciplinary action may be dropped. Not satisfied with his explanation, the Bank conducted an enquiry Ex. M-19 are the enquiry proceedings and Ex. M-25 is the enquiry report. The Enquiry Officer found the delinquent guilty of both the charges. Accepting these findings, a Second Show Cause Notice against the proposed punishment marked as Ex. W-1 was issued to him. Subsequently, he was dismissed from service on 1st February, 1984, as displaced by Ex. W-17. A subsequent appeal filed by him was also rejected.

(9) The learned counsel appearing for the Petitioner did not seriously challenge the conduct of the enquiry or complain of any violation of natural justice in the procedure adopted in respect of the evidence recorded at the enquiry. However, it is urged by the learned counsel for the Petitioner that after the enquiry findings were submitted, a Second Show Cause Notice was issued to the employee against the proposed punishment of dismissal. He was not furnished with the copy of the enquiry findings which had been given to him only after the order of dismissal was passed. It is, therefore contended that this is in violation of the Bi-partite Settlement and had deprived the workman of a reasonable opportunity of defending himself. In this context, it is to be noted that to the Second Show Cause Notice regarding the proposed punishment which was issued to the concerned workmen marked as Ex. W-11, he had given a statement on 10th October, 1983 to the Chairman and Disciplinary Authority which is found at page 21 of Ex. M-19, the enquiry proceedings. According to this statement, he had admitted the shortage of Rs. 3,010 in cash on 3rd January, 1983 and that he had made good the amount by pledging certain gold ornaments. He had admitted this to be a mistake on his part and assured the Management that such misconduct would not occur in future. Finally he had made a request not to be dismissed from service and added that he had nothing more to state. This would disclose that the workman had virtually admitted his guilt and only pleaded for leniency in the punishment. Hence by his not being furnished with the enquiry findings at that stage it cannot be held that he was seriously prejudiced or handicapped in the conduct of his defence. This apart, as per para 19.12 of the Bi-partite Settlement applicable to the Respondent-Bank which deals with the procedure for conducting an enquiry, it stipulates that after the enquiry proceedings are concluded the concerned workman shall be given a hearing as regards the nature of the proposed punishment in case any charge is established against him. This has been complied with in the present case. The workman was given a Second Show Cause Notice regarding the proposed punishment of dismissal and he had given his statement at the personal hearing afforded to him. Para 19.12 of the Bipartite Settlement does not provide for the enquiry findings being furnished to the workman at the stage of the Second Show Cause Notice. The learned counsel for the Respondent-Bank has brought to my notice Para 19.10 of the Bi-partite Settlement, which reads as follows:

"19.10. In all cases in which action under Clauses 19.4, 19.6 or 19.8 may be taken the proceedings held shall be entered in a book kept specially for the purpose, in which the date on which the proceedings are held, the name of the employees proceeded

against the charge or charges the evidence on which they are based, the explanation and the evidence, if any, tendered, by the said employee, the finding or findings, with the grounds on which they are based and the order passed shall be recorded with sufficient fullness, as clearly as possible and such record of the proceedings shall be signed by the officer who holds them, after which a copy of such record shall be furnished to the employee concerned if so requested by him in writing."

As rightly urged by the learned counsel for the Respondent-Bank, according to the terms of the settlement which are applicable to the workman, the enquiry findings and other connected records had to be furnished to the employee only after final order of punishment is passed, which had been complied within the present case. In the circumstances, I find no substance in the plea taken on behalf of the Petitioner-workman that the non-furnishing of the enquiry findings at the stage of the Second Show Cause Notice would render the order of dismissal passed as nugatory and invalid.

(10) In respect of the other employee Thiru S. Vijayan Nair, the same plea was taken and the same finding holds good. In this case also he had given a statement to the second show cause notice marked as Ex. W-10 issued to him, wherein he had accepted the shortage of Rs. 2500 in the cash balance and attributed it to be a mistake as he had parted with this amount to a staff member in the belief that a cheque would be submitted for the amount and had pleaded for lenient punishment. What has been stated above with reference to Thiru A. Ramachandran applies with equal force to this workman Thiru S. Vijayan Nair in respect of this plea.

(11) The learned counsel on behalf of the employee Thiru A. Ramachandran vehemently contended that the evidence adduced in the enquiry does not substantiate the charges levelled against him. In dealing with this it has to be pointed out that Charge No. 1 only relates to the shortage of Rs. 3010 when he was working as cashier in the Respondent Bank on 3-1-1983. As far as the shortage is concerned it is an admitted fact that the concerned workman had made good the amount on the same day conceding the shortage found. Even according to the explanation of the delinquent Thiru A. Ramachandran he had first informed about the cash shortage to the Assistant Manager which was later confirmed. Regarding the second charge, the crux of it is that he had failed in discharging his responsibility temporarily misappropriated the Bank's money for unauthorised purposes. The Enquiry Officer in his enquiry findings marked as Ex. W-9 had summarily concluded as follows :

"After going through all the oral and documentary evidence produced, I find that Sri Ramachandran is guilty of misappropriation of Bank money to a tune of Rs. 3010/- This proves charge No.2."

On a re-appraisal of the evidence on records I find no justification in the finding of the Enquiry Officer that the concerned workman was guilty of misappropriation of the Bank money as charged. The punishing authority as revealed by its order marked as Ex. W-17 merely concurred with the findings the Enquiry Officer and dismissed the workman holding the charges as proved. On the face of it, the punishing authority had not applied its mind to the evidence on record and come to an independent conclusion as to what was the actual misconduct that could be held to be proved on the material on record in terms of the provisions of the Bi-partite Settlement, which defines "gross misconduct" in para 19.5 and "punishments for certain misconducts" in para 19.6. As already adverted to the fact of shortage of cash had been admitted by the concerned employee and he had made good the amount on the same day. He had also given a tangible explanation for having committed this mistake and there is no evidence on record to conclude that he was guilty of misappropriation of the amount. However, the act of the workman in my view would amount to misconduct under para 19.5(j) of the Bi-partite Settlement which reads as follows :

"Doing any act prejudicial to the interest of the bank or gross negligence or negligence involving or likely to involve the bank in serious loss."

The conduct of the workman would clearly amount to negligence involving or likely to involve the bank in serious loss. Under para 19.12(c) of the Bi-partite Settlement in awarding punishment by way of disciplinary action, the disciplinary authority has taken into account the gravity of the misconduct, the previous record, if any, of the employee and any other aggravating or extenuating circumstances that may exist. In the instant case, as already adverted to, the punishing authority had not applied its mind as to what was the nature of the misconduct committed by the workman as provided by the Bi-partite settlement and the natural inference is that it had not considered the gravity of the misconduct in awarding the punishment. Moreover, no reference was made to the past record of service of the workman. The learned counsel for the Respondent-Bank conceded that the employee had a clean and unblemished record of service. If this be so, it is a vital factor which appears to have been completely ignored by the punishing authority in awarding deterrent punishment of dismissal from service. The Petitioner-workman had admittedly joined the Bank in the year 1979 and until the incident in question he had worked satisfactorily to his superiors. On this solitary lapse, the plea of loss of confidence cannot be countenanced. It is well settled that Section 11-A of the Industrial Disputes Act now empowers the Tribunal to reappraise the evidence and satisfy itself one way or other regarding misconduct, the punishment and the relief to be granted to the concerned workman on the material on record. Taking the totality of the circumstances in the instant case, I am of the view that the dismissal is grossly disproportionate to the gravity of the misconduct committed and has to be therefore necessarily set aside. The Petitioner is directed to be reinstated in service without back wages but with continuity or service on or before 1-2-1987, failing which the Petitioner Thiru A. Ramachandran will be entitled to claim full wages from 1-2-1987 till the date of his reinstatement in service. This would be sufficient punishment for the misconduct committed by the concerned employee. It is further directed that on a reinstatement he shall not be posted as a Cashier for a period of two years and re-posted to some other Branch of the Respondent Bank.

(12) So far as Thiru S. Vijayan Nair is concerned, three Charges were framed against him as per charge memo marked as Ex. W-6 issued to him. The charge memo reads as follows :

1. While you were working as Cashier in the Attingal Branch of the Bank on 22-12-1982 at about 4.45 P. M. you were ordered to close the cash which you disobeyed without any explanation, and thus disobeyed the orders of the Branch Manager, who is your official superior.
2. On suspicion arising from your behaviour the accounts and cash held by you were physically verified by Sri L. K. Shree, Asstt. Manager of the Branch, as directed by the Manager of the Branch. The cash and recorded accounts were tallying evidence a shortage of Rs. 2,500 (Rupees Two thousand Five hundred only) in cash. This was brought to your notice then and there and you had accepted the position by initialing the statement of accounts given by Sri L. K. Shree. You had no explanation for the shortage and coolly made up the shortage.
3. The actual shortage and your silence at the time of finding out the shortage clearly shows that you were conscious of the shortage. There is no doubt that you are fully aware of the responsibility as Cashier that the Bank's cash always tally with the accounts. You have failed in discharging this responsibility and has temporarily misappropriated the Bank's money for unauthorised purposes."

He had given his explanation Ex. W-7 to the above charges, wherein he had admitted about the cash shortage for Rs. 2500/- and made concerned it is only a narration of facts and does not itself indicate any misconduct. As far as Charge No. 1 is concerned it is for disobedience of the order of the superior for not closing the cash about 4.45 P. M. on 22-12-1982 and Charge No. 3 dealt with misappropriation of Bank's money for unauthorised purpose. The

Enquiry Officer had found that all the charges as proved. Admittedly, there was shortage of cash of Rs. 2500 when this workman discharging the duties of cashier on 22-12-1982. In his explanation, Thiru S. Vijayan Nair had submitted that at about 3.00 P.M. he went up to the Manager's cabin and met the Branch Manager and informed him that he had given cash of Rs. 2,500 to Thiru A. Ramachandran, Collection Clerk working in the same Branch on his assurance that this will be made good by cheque. As Thiru A. Ramachandran had not obliged him with the cheque he had later made good the amount on the same day. The said Ramachandran was examined as a defence witness on behalf of the workmen in the enquiry. He had deposed that about 2'0 Clock he had received Rs. 2,500 from Thiru S. Vijayan Nair promising him to reimburse the amount by way of a cheque from his mother and subsequently had the amount sent about 4.15 P.M. through his younger brother. This only fortifies the statement of Thiru S. Vijayan Nair that he had paid this amount to one of his colleagues. No doubt, this act would amount to negligence of duty, but it cannot be strenuously to the point of holding that the workman was guilty of misappropriation for unauthorised purpose. Regarding Charge No. 1, it may amount to an act of insubordination but according to the workman he had gone out only to secure the amount to make good the shortage. The punishing authority as disclosed by its order of dismissal marked as Ex. W-16 had not applied its mind to the evidence on record and come to any independent conclusion as to the nature of misconduct committed by the employee in question and merely concurred with the findings of the Enquiry Officer. In the evidence on record in my view, the misconduct committed by the workman would only fall under para 19.5(e) and (j) of the Bi-partite Settlement which reads as follows :

"19.5(e) : Wilful insubordination or disobedience of any lawful and reasonable order of the management or of a superior."

"19.5(j) : Doing any act prejudicial to the interest of the bank or gross negligence or negligence involving or likely to involve the bank in serious loss."

He would be guilty of disobedience of the order of a superior in act closing the cash until a written order was given to him and for negligence involving or likely to involve the bank in serious loss. Under Para 19.12(c) of the Bi-partite Settlement, in awarding punishment by way of disciplinary action, the disciplinary authority has to take into account the gravity of the misconduct, the previous record, if any, of the employee and any other aggravating or extenuating circumstances that may exist. In the instant case, as already adverted to, the punishing authority had not applied its mind as to what was the nature of the misconduct committed by the workman as provided by the Bi-partite Settlement and the natural inference is that it had not considered the gravity of the misconduct in awarding the punishment. Moreover, no reference was made to the past record of service of the workman. The learned counsel for the Respondent Bank concerned that the employee had a clean and unblemished record of service. If this be so, it is a vital factor which appears to have completely ignored by the punishing authority in awarding deterrent punishment of dismissal from service. The Petitioner-workman had admittedly worked in the Respondent-Bank satisfactorily to his superiors until the incident in question. On this solitary lapse, the plea of loss of confidence cannot be countenanced. It is well settled that Section 11-A of the Industrial Disputes Act now empowers the Tribunal not only re-appraise the evidence and examine the nature of misconduct committed but also to interfere on the quantum of punishment, where the punishment imposed is grossly disproportionate to the gravity of the misconduct committed. Taking the totality of the circumstances in the instant case, I am of the view that the dismissal is grossly disproportionate to the gravity of the misconduct committed and it has to be therefore necessarily set aside. The Petitioner is directed to be reinstated in service without back wages but with continuity of service on or before 1-2-1987, failing which the Petitioner Thiru S. Vijayan Nair will be entitled to claim full wages from 1-2-1987 till the date of his reinstatement in service. This would be sufficient punishment for the misconduct committed by the concerned employee. It is further directed

that on reinstatement he shall not be posted as a Cashier for a period of two years and re-posted to some other Branch of the Respondent-Bank.

13. An award is passed in the above lines. There will be no order as to costs.

Dated, this 1st day of December, 1986.

FYZEE MAHMOOD, Industrial Tribunal

WITNESSES EXAMINED

For both sides : None.

DOCUMENT MARKED

For workmen :

- Ex. W-1/13-1-83—Explanation from A. Ramachandran to the Management.
- Ex. W-2/31-1-83—Memo issued to S. Vijayan Nair suspending him from service.
- Ex. W-3/31-1-83—Memo of suspension to A. Ramachandran.
- Ex. W-4/4-2-83—Charge sheet to A. Ramachandran.
- Ex. W-5 i's Reply from A. Ramachandran to Ex. W-4.
- Ex. W-6/24-2-83—Charge sheet to S. Vijayan Nair.
- Ex. W-7/11-3-83—Reply from S. Vijayan Nair to Ex. W-6.
- Ex. W-8/30-8-83—Enquiry report against S. Vijayan Nair.
- Ex. W-9/30-8-83—Enquiry report against A. Ramachandran.
- Ex. W-10/29-9-83—Second Show Cause Notice to S. Vijayan Nair.
- Ex. W-11/29-9-83—Second Show Cause Notice to A. Ramachandran.
- Ex. W-12/23-1-84—Dismissal order issued to S. Vijayan Nair.
- Ex. W-13/23-1-84—Dismissal order issued to A. Ramachandran.
- Ex. W-14/31-1-84—Memo issued to S. Vijayan Nair cancelling the dismissal order dated 23-1-84.
- Ex. W-15/31-1-84—Memo issued to A. Ramachandran cancelling the dismissal order dated 23-7-84.
- Ex. W-16/1-2-84—Second dismissal order issued to S. Vijayan Nair.
- Ex. W-17/1-2-84—Second dismissal order issued to A. Ramachandran.
- Ex. W-18/9-11-83—Minutes of the discussion held on 28-2-1984 during the Conciliation Proceedings against the Union's strike notice.
- Ex. W-19/14-3-84—Appeal filed by Thiru S. Vijayan Nair against his dismissal order from service.
- Ex. W-20/15-3-84—Appeal filed by Thiru A. Ramachandran against his dismissal order from service.
- Ex. W-21/5-4-84—Details given in the Appeal Petition by A. Ramachandran.
- Ex. W-22/21-3-84—Conciliation report of Assistant Labour Commissioner (Central), Ernakulam in the case of S. Vijayan Nair.
- Ex. W-23—Order passed in the Appeal Petition of S. Vijayan Nair by the Board of Directors.
- Ex. W-24—Order passed in the Appeal Petition of A. Ramachandran by the Board of Director.

For Management :

- Ex. M-1—Enquiry Proceedings against S. Vijayan Nair.
- Ex. M-2/31-1-83—Suspension order to Thiru S. Vijayan Nair.
- Ex. M-3/24-2-83—Charge sheet.
- Ex. M-4/11-3-83—Reply to Ex. M-3.
- Ex. M-5—Enquiry report.
- Ex. M-6/29-9-83—Show cause notice to S. Vijayan Nair.

Ex. M-7/1-2-84—Dismissal order to S. Vijayan Nair.

Ex. M-8/14-3-84—Appeal filed by S. Vijayan Nair.

Ex. M-8(a)/5-5-84—Decision of the Board of Directors after the appeal of S. Vijayan Nair.

Ex. M-9/22-12-82—Cash memo. (Xerox copy).

Ex. M-10—Letter from L. K. Shree, Officer to the Manager of the Attingal Branch regarding cash verification.

Ex. M-11/25-12-82—Letter from the Manager to the Chairman of the Bank Attingal.

Ex. M-12/22-12-82—Letter from L. K. Shree Officer, to the Manager of the Bank, Attingal, (Xerox copy).

Ex. M-13—Letter from A. Ramachandran to the General Secretary of the Union. (Xerox copy).

Ex. M-14—Xerox copy of Local Delivery Book. (S. Nos. 945 to 952).

Ex. M-15/30-10-82—Xerox copy of Fixed Deposit Ledger. (Page 134).

Ex. M-16/22-12-82—Xerox copy of Cash Balance Book for 22-12-82.

Ex. M-17/22-12-82—Xerox copy of Manager's cash scroll No. 146 and 147.

Ex. M-18—Xerox copy of Savings Bank Ledger Page.

Ex. M-19—Enquiry Proceedings against A. Ramachandran.

Ex. M-20—Xerox copy of Cash memo as on 3-1-1983.

Ex. M-21/31-1-83—Suspension order to A. Ramachandran. (Xerox copy).

Ex. M-22/18-1-83—Letter from A. Ramachandran to the Management of Parur Central Bank Ltd., Attingal. (Xerox copy).

Ex. M-23—Letter from A. Ramachandran to the Disciplinary Authority of the Bank. (Xerox copy).

Ex. M-24/4-2-83—Charge sheet to A. Ramachandran. (Xerox copy).

Ex. M-25/30-8-83—Enquiry report against A. Ramachandran. (Xerox copy).

Ex. M-26/29-12-83—Show cause notice to A. Ramachandran against the punishment to be awarded. (Xerox copy).

Ex. M-27/1-2-84—Dismissal order to A. Ramachandran. (Xerox copy).

Ex. M-28/15-3-84—Xerox copy of Memorandum of appeal preferred by A. Ramachandran before the Board of Directors.

Ex. M-28(a)/5-4-84—Appeal by A. Ramachandran to the Board of Directors.

Ex. M-29/5-5-84—Decision of the Board of Directors against the appeal.

Ex. M-30/3-1-83—Xerox copies of Office withdrawal form.

Ex. M-31/3-1-83—Xerox copies of Office withdrawal form.

Ex. M-32/3-1-83—Xerox copies of Office withdrawal form.

Ex. M-33—3-1-83—Xerox copies of Office withdrawal form.

Ex. M-34/3-1-83—Xerox copies of Office withdrawal form.

Ex. M-35/3-1-83—Xerox copies of Office withdrawal form.

Ex. M-36/3-1-83—Xerox copy of cash withdraw of Rs. 6,000.

Ex. M-37/3-1-83—Xerox copy of Office Withdrawal Form

Ex. M-38/3-1-83—do remittance made in the Bank.

Ex. M-39/3-1-83—do remittance made in Bank.

Ex. M-40/3-1-83—do remittance made in Bank.

Ex. M-41/3-1-83—do remittance made in Bank.

Ex. M-42/3-1-83—Particulars of remittance made in Bank.

Ex. M-43/3-1-83—Particulars of remittance made in Bank.

Ex. M-44/3-1-83—Particulars of remittance made in Bank.

Ex. M-45/3-1-83—Letter from L. K. Shree to the Manager of the Attingal Branch.

Ex. M-46/3-1-83—Xerox copy of letter issued by the Manager to A. Ramachandran regarding shortage of Rs. 3010.

Ex. M-47/31-1-83—Xerox copy of letter from the Management to the Chairman.

Ex. M-48/3-1-83—Cash position submitted by L. K. Shree Officer to the Management as on 3-1-1983 at 4.35 P.M.

Ex. M-49—Xerox copy of the Local Delivery Book.

Ex. M-50—Xerox copy of Cash Balance Book.

Ex. M-51—Xerox copy of Manager's cash scroll dated 3-1-83.

Ex. M-52—Xerox copy of cash book dated 3-1-83.

FYZEE MAHMOOD, Industrial Tribunal.

[No. L-12011/3/84-D.IV (A)]

K. J. DYVA PRASAD, Desk Officer

नई दिल्ली, 31 दिसम्बर, 1986

का. आ. 94.—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स गवन माइका माइनिंग कम्पनी के प्रबंधनतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ओद्योगिक विवाद में केन्द्रीय सरकार ओद्योगिक अधिकरण, धनबाद-2 के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को प्राप्त हुआ था।

New Delhi, 31st December, 1986

S.O. 94.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Gawan Mica Mining Co. Post Office Domchanch, District, Hazaribagh and their workmen, which was received by the Central Government.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Reference No. 69 of 1985

In the matter of industrial dispute under Section 10(1)(d) of the I. D. Act, 1947

PARTIES :

Employers in relation to the management of Messrs Gawan Mica Mining Company Limited, P.O. Domchanch, District Hazaribagh and their workmen.

APPEARANCES :

On behalf of the workmen—Shri R. S. Murthy, Advocate
On behalf of the employers—Shri G. Gopal, Advocate.

STATE : Bihar

INDUSTRY : Mica

Dhanbad, the 27th November, 1986

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-28012 (1)/85-D.III (B) dated the 31st May, 1986.

SCHEDULE

"Whether the action of the management of Messrs Gawan Mica Mining Company Limited, Post Office Domchanch, District Hazaribagh in denying retrenchment compensation to Shri Balbhadr Prasad who only possessed Foreman certificate from the Board of Mining Examination is legal and justified? If not to what relief is the workman entitled?"

The case of the workmen is that the concerned workman Shri Balbhadr Prasad was initially employed as unskilled worker in Christian Mica Industries Ltd. owning a number of Mica Mines. The said concern was a family concern of Shri R. K. Agarwala and his brother. In the year 1972 the said company was split up into different company's headed by each of the 5 Agarwal brothers. One of the Agarwal brothers got some of the mica mines in his share and his company was named as Gawan Mica Mining Company. The Christian Mica Industries Ltd. had 100 of workers and when the company was split up into different company's workers of Christian Mica Industries were also distributed among the newly formed company but the services of the workmen of Christian Mica Industries continued in the newly formed company's with reference to the services rendered by them in the Christian Mica Industries. At the time of split up the services of the workmen were neither terminated nor any retrenchment compensation was paid to them and only their services were transferred from the old Christian Mica Industries to the newly established Company. The services of the concerned workmen were transferred to Gawan Mica Mining Company Ltd. The concerned workman who had initially been employed as an unskilled worker in Christian Mica Industries passed the mining mates examination in 1968 under the Metalliferous Mines Regulations, 1961 and was promoted by the management as a Mining mate. Subsequently the concerned workman obtained the Mines Foreman certificate of competency under the Metalliferous Mines Regulations on 1-2-69 and thereafter he was promoted as a Mine Foreman by the management. The concerned workman always discharged the duties of a Technical and skilled nature from 1968 onwards and prior to that he discharged the duties of unskilled worker. The concerned workman was posted as Mining mate and Mines Foreman in different Mica Mines of the management and had put in nearly 20 years of continuous service. Throughout the period of his services he was engaged in the duties of the underground section. He did not function in the supervisory capacity, managerial capacity or administrative capacity. He had not the powers of making appointment of employees or of taking disciplinary action against them. He had also no official power. Shri Badri Agarwal, Director of the Gawan Mica Mines was exercising all these powers during his life time and after his death Shri K. K. Agarwal was exercising those powers. The management suddenly terminated the services of the concerned workman without giving him any notice. The said termination was illegal as the management had not complied with the provisions of Section 25-F of the I. D. Act. The concerned workman had read upto Class VII only. He knows little of Hindi and can write in English. He was a member of Audyoki Akhada Karamchari Sangathan. The said union made a demand on the management in respect of the illegal retrenchment of the concerned workman and for non-payment of retrenchment compensation vide letter dated 29-11-83. The management did not reply to the said letter. The said union raised an industrial dispute before the ALC(C) Hazaribagh on

behalf of the concerned workman. A conciliation proceeding was started but the same failed and after the failure report sent to the Government of India, Ministry of Labour the present reference was made for adjudication. The concerned workman was a workman within the meaning of Section 2(s) of the I. D. Act. He was paid gratuity under the payment of gratuity Act for a total period of 20 years of continued service which included his services under Christian Mica Industries Ltd. also. At the time of the termination of the services of the concerned workman his pay was Rs. 750 per month, and he had claimed retrenchment compensation in terms of Section 25-F of the I. D. Act amounting to Rs. 7250. The action of the management in denying the retrenchment compensation to the concerned workman is illegal and unjustified.

The case of the management is that the reference is not maintainable in law. The concerned workman was working under Gawan Mica Mining Co. Ltd. as Manager. He was a Foreman certificate holder which is the requisite qualification for being appointed as a Manager under the Metalliferous Mines Regulation. He was a valid permit-holder for management under the said regulation. He was working as a Manager at Bartala Mica Mines prior to his joining Khirkia Mica Mines. He was transferred from Bartala Mica Mines to Khirkia Mica Mines as Manager on 22-10-83. Since then he was working as a Manager of the said Khirkia Mica Mines till his services were dispensed with effect from 22-11-83. He was working as a Manager under the Mines Act with all the powers and responsibilities of a Manager under the act. He had the full administrative and supervisory power of a Manager vested in him. As such he is not covered under the definition of the workman under Section 2(s) of the I. D. Act. He was served with notice of termination of service by the management on 22-11-83 and he was paid all his legal dues to his entire satisfaction and the concerned workman issued a certificate to that effect. On the above plea it has been submitted that the concerned person is not entitled to any relief or benefit under the I. D. Act.

The point for determination is whether the concerned person Shri Balbhadr Prasad is entitled to retrenchment compensation and incidentally it has to be decided whether the concerned person was a workman under Section 2(s) of the I. D. Act.

The management and the workmen each have examined one witness in support of their respective cases. The management has produced documents which have been marked Ext. M-1 to M-23. The documents filed on behalf of the workmen have been marked Ext. W-1 to W-7.

In order to decide whether the concerned workmen is entitled to retrenchment compensation under Section 25-F of the I. D. Act it has to be seen whether the concerned person was a workman under Section 2(s) of the I. D. Act. According to the management the concerned person was a manager and as such he was not a workman and was not entitled to any retrenchment compensation. The case of the workmen, on the other hand, is that the concerned workman was a Foreman doing duties of a Technical and skilled nature. It is admitted by the concerned person in his rejoinder to the W.S. of the employer in para-4 that there was always a Mines Manager in the Mines and sometimes when the Mines Manager proceeded on leave for a short spell of few weeks the concerned workman looked after his duties for the temporary period. The question therefore is whether the concerned workman worked mainly as a Manager or a Foreman. Ext. W-4 dated 9-5-68 is the Mining mate certificate issued in the name of the concerned person. Ext. W-3 is the Mines Foreman certificate dated 1-2-1969 issued to the concerned person Balbhadr Prasad. WW-1 Balbhadr Prasad is the concerned person who has stated that he had joined services on 1-3-64 in Rakhwa Mica Mines belong to Christian Mica Mining Co. Ltd. as an unskilled workman. He has stated that subsequently he had passed the examination of mate and was promoted as a mate in 1967 and when he passed Mines Foreman examination in 1969 he was promoted to the post of Mines Foreman in 1969 and continued to work as Foreman till the termination of his services. Regulation 34 of the Metalliferous

Mines Regulation deals with the qualifications and appointment of Manager. It states that no mine shall be opened worked or reopend unless there is a Manager of the mine being a person duly appointed and having such qualifications as are required by the regulations. It further provides that no person shall act or be employed as a Manager unless, he is 23 years of age and is paid by and directly answerable to the owner or Agent of the mine. Clause 5(a) of the regulation 34 provides that the Chief Inspector may after holding such examination as he may deem necessary and subject to such conditions as he may specify, grant to any person holding a Foreman's certificate, a permit authorising such person to act the manager of any specified mine, the average employment of which does not exceed 75 in workings below ground or 150 in all in the mine. In clause 5(b) it is further stated that a Manager's permit shall be valid only for such a period not exceeding 12 months as may be specified therein. The Chief Inspector may renew any Manager's permit for further period not exceeding 12 months at a time. The concerned person was holding a Foreman certificate and as such as per clause 5(a) of regulation 44 he could be granted a manager's permit authorising him to act as Manager by the Chief Inspector. Ext. M-9 dated 18-8-79 is the certificate of grant of Manager's permit under Metalliferous Mines Regulations to the concerned person Balbhadr Prasad when he was working in Bartala Mica Mines. It will appear that the director of Mines safety Koderma Region had issued a Manager's permit to Balbhadr Prasad to manage Bartala Mica Mines of M/s Gawan Mica Mines Co. Ltd for a period upto 13-5-80. This fact is not denied by the concerned person. He has stated that he had temporarily worked as a Manager in Bartala Mica Mines in the absence of a permanent manager of the mines and that he had given charge of a Manager on 24-10-79 videlicet Ext. M-16, Ext. M-16 is the Manager's charge report of Bartala Mica Mines which shows that Balbhadr Prasad handed over charge of Manager of the Mine, to Shri Sachindra Ch. Guha. It is clear therefore, that the concerned person had acted temporarily as a Manager of Bartala Mica Mines under the Manager's permit granted under Regulation 34(a) of the Metalliferous Mines Regulation 1961 and that he had given up the charge to Shri Guha on 26-10-79.

There is no other manager's permit filed on behalf of the management to show that the concerned person was appointed as Manager under Regulation 34(5)(a). Ext. M-13 is the letter dated 22-10-1982 by which the Administrative Officer of Khirkia Mines directed Shri Balbhadr Prasad to take the charge of Khirkia Mines from Shri R. P. Verma as a Manager of the said mine with immediate effect. It is also stated in Ext. M-13 that necessary information in Form I was being sent to the Mining department. Ext. M-14 is a letter dated 13-11-1982 written by the Director of Gawan Mica Mining Co. Ltd. to the Directorate General of Mines safety, Dhanbad which shows that Form I in respect of the change of Manager in Khirkia Mica Mines of M/s. Gawan Mining Co. Ltd. was submitted before the Director General of Mines Safety by Regd. Post. Ext. M-15 is the A/D receipt of the said letter to show that the letter along with form, I was sent to the Director, General of Mines Safety. Ext. M-8 is Form I dated 12-10-82 which was sent along with Ext. M-14. It shows that Balbhadr Prasad was appointed as a Manager, in place of Shri R. P. Verma. Ext. M-8 does not bear the signature of the concerned person. The concerned person WW-1 has stated that he had no knowledge of Ext. M-8. The management has not filed any Manager's permit issued in the name of Balbhadr Prasad under the Regulation 34(5)(a) in accordance with Ext. M-8. We have therefore to see the effect of Form-I submitted to the Director, General of Mines Safety vide Ext. M-8 by the management. Regulation 34(7)(a), provides that where by reason of absence or for any other reason the manager is unable to exercise daily personal supervision or is unable to perform his duties under the Act and under these regulations and orders made thereunder the owner, agent or manager shall authorise in writing a person whom he considers to act as Manager provided that such person holds a Manager's or Foreman's certificate and no such authorisation shall have effect for a period in excess of 30 days except with the previous consent in writing of the Chief Inspector and subject to such conditions as he may specify

therein, nor without a like consent shall a second authorisation be made to take effect upon the expiry of the first. The Chief Inspector shall not permit any such authorisation to extend over a period exceeding 30 days unless the person holds qualifications specified in sub-regulation (2). It further provides that the owner, agent or manager, as the case may be shall forthwith send by registered post to the Chief Inspector of Mines and the Regional Inspector a written notice informing such an authorisation has been made and stating the reason for the authorisation, the qualifications and experience of the person authorised and the date of commencement and ending of the authorisation. It appears therefore that through Ext. M-8 the management had ordered Shri Balbhadr Prasad authorising him to act as Manager for a temporary period under Regulation 34(7)(a). The management therefore was competent to authorise Shri Balbhadr Prasad to act as a Manager for a temporary period not exceeding 30 days. There is no evidence that previous consent in writing of the Chief Inspector, Mines had been obtained for continuance of Shri Balbhadr Prasad to act as Manager of Khirkia Mica Mine and as such he could not be a Manager for more than a month from 22-10-82. On discussion of the above evidence it will appear that the concerned person did not hold any Manager's permit under Regulation 34(5)(a) for managing Khirkia Mica Mine and that he had temporarily been authorised to act as Manager by the management under Regulation 34(7)(a) which could not be for a period of more than 30 days from 22-10-82 and as such it is clear that the concerned person was not a permanent manager of Khirkia Mine and that he had acted only temporarily as Manager of Khirkia Mine for a very short period.

The management has referred to Ext. M-17, M-18, M-19, M-21, M-22 where the concerned person has signed as Manager. WW-1 has stated that he had not acted as manager during those period and he had simply put his signature at the instance of the management and he had not worked as Manager. The fact that he was not a Manager is simply established by the fact that he did not hold the manager's permit as required under Metalliferous Mines Regulations and as such the concerned person cannot be said to be a manager under the said Act only because he had signed at some places in the designation of a Manager. In my opinion those document do not establish that the concerned person was in fact a Manager of Khirkia Mica Mine.

The management has filed Ext. M-23 which is staff pay book for the year 1983 in which the concerned person has been described as a Manager till the month of October, 1983. Admittedly the services of the concerned person was terminated vide letter Ext. M-2 dated 21-11-1983 and the said letter was received by the concerned person on 22-11-83. Although the services of the concerned person had been terminated from 22-11-83 it will appear that his attendance was not marked in the month of November till 21-11-83 in Ext. M-23. It appears therefore that the said register was not maintained properly and mere mentioning the designation of the concerned person as Manager in the said register cannot be used by the management to show that the concerned person was a Manager.

The case of the concerned workman is that he was getting salary @Rs. 700 per month since about 7 years prior to the termination of his services. He has also stated as WW-1 that Shri Verma who was the Manager of the mine used to get Rs. 1200 per month and Shri Guha was a Manager prior to Shri Verma also was getting Rs. 1400 per month. It is submitted that if the concerned workman had been manager his salary would have been increased from the salary which he was getting as a Foreman and as he was getting the same salary of about Rs. 700 per month since about 7 years prior to the termination of his services he was actually working as a Foreman and not as a Manager. WW-1 has stated in page 6 of his deposition that the salary of a Manager is higher than that of a Foreman. This evidence also shows that had the concerned person been a Manager of the mine he would have got more salary than what he was getting as Foreman.

The submission made on behalf of the concerned person is that he was governed the benefits under the certified standing orders as workman. It is further submitted that the manager of a mine is not a workman and is therefore not governed by the certified standing orders of the company. MW-1 has stated in page-6 of his deposition that the service conditions as manager are different from the workman. He has stated that the management has certified standing orders and the concerned person was getting the benefit under the said certified standing orders. It is thus clear from the evidence of MW-1 himself that the concerned person was not a Manager and what he was governed by the Standing Orders which was applicable in respect of the workmen.

Regulation 37 of the Metalliferous Mines Regulation provides that at every mine, one or more mineforeman shall be appointed to hold charge of the different districts of the mine on each working shift. The concerned person has stated that he was a Mining Foreman and there was no other Foreman working in the mica mining of the management. The case of the management is that the concerned person was a manager since 22-10-82. Regulation 46 of the Metalliferous Mines Regulations provides that every mine foreman or other competent person appointed under regulation 37 (1) shall strictly observe the provision as has been laid down under the said regulation. In clause 9(a) of the Regulation 46 it is provided that he shall devote the whole of his time to his duties, and shall visit each working place in his district as often as may be necessary or possible. In clause 10 of the said regulation it is further provided that he shall at the end of his shift, record in a bound paged book kept for the purpose of a general report on the performance of all his duties during the shift, including anything concerning the proper working of the mine and the safety and discipline of persons employed in his district. The concerned person had called for the said register containing the report of the Foreman which is to be maintained under Regulation 36(1). But the management did not produce the said register. Even if the workmen had not called for the same the management should have produced the said register to show that the concerned person was not the Foreman and as such he was not maintaining the Register. It is simply said by MW-1 that the said register was not traceable. The fact that the said register is not being produced shows that the management is suppressing the said register as it was being maintained by the concerned person as Foreman. MW-1 at page-4 of his deposition has stated that Foreman's job is whole time under Metalliferous Mines Regulations and I think this evidence is in accordance with the regulation 37(b) where it is stated that the Foreman shall not do any additional duties other than his duties under the Regulation so as to prevent him from carrying out in a thorough manner the duties prescribed for him under the regulation. The duties of a Manager is a self consuming work and according to the Regulations a Foreman is not required to do additional duties other than the duties of a Foreman. MW-1 has stated that the concerned person was a Foreman and a permit manager simultaneously. Thus, one thing is clear from his evidence that the concerned person was a Foreman and was also doing the job of a Manager. In the next breath MW-1 has stated that the concerned workman was not doing the job of a Foreman. He has also stated that no separate order or circular had been issued regarding the powers to be exercised by the concerned workman. It is clear therefore that the concerned workman was actually a Mine Foreman and that he was wrongly designated as Manager. It has been held in several decision that mere designation of a person does not signify the work being done by him and the matter depends entirely on the work which is done by a person. The learned Advocate appearing on behalf of the management have referred to two decisions reported in 1964-LJ-194 (Syndicate Bank—Vs.—workmen) and 1961—(I) LJ—P—18 in support of his contention. It is submitted on the basis of the said decision that the management had merely got the signature of the concerned person on some showing that he was designated as Manager but in fact the evidence and circumstances which have been

revealed in evidence show that the concerned person was actually a Foreman and not a Manager of Khirkia Mica Mines.

In view of the consideration of the entire facts evidence and circumstances I hold that the concerned person was a Foreman and was a workman within the meaning of Section 2(s) of the I. D. Act.

The management has filed Ext. M-9(a) dated 26-11-83 to show that the concerned workman was paid Rs. 10060/60P. as against his full and final settlement for his entire period of his service, and on the back of it an account has been given. The Register of wages-cum-money receipt Ext. M-23 shows that the concerned workman was getting Rs. 741.67P at the time when his services were terminated. The account shows in the back of Ext. M-9(a) appears to have been calculated @ about Rs. 700 per month and his total salary has been taken as 20 years. Thus the services of the concerned workman appears to have been counted continuously since he joined Christian Mica Mine in 1964. Thus there is absolutely no dispute about the fact that the concerned workman had continuous service of 20 years and was getting salary of Rs. 700 and above at the time his services were terminated.

Ext. M-2 dated 21-11-83 is a letter of termination of the concerned workman which shows that due to slump in mica market his services with the company was no longer required and he was asked to take all his legal dues from the management. It is on the basis of the said letter that the services of the concerned workman was terminated and he was paid gratuity salary wages and minimum bonus total being Rs. 10060.15P. Ext. M-9(a) does not show that any retrenchment compensation was paid to the concerned workman or that he was given one months notice pay as is required under Section 25F of the I.D. Act. The concerned workman has claimed retrenchment compensation for a period of 20 years and one months notice pay in accordance with the Section 25F of the I.D. Act. The management has not stated that the concerned workman had been paid any retrenchment compensation or one months notice pay as is required under Section 25F of the I.D. Act. The simple defence of the management on this account is that the concerned workman had been paid the amount vide Ext. M-9(a) in satisfaction of his full and final amount. The management has further referred to Ext. M-10 which is a receipt given by the concerned workman showing that he received full and final settlement from M/s. Gawan Mica Mining Company Ltd. to his entire satisfaction and there is nothing due over the company and he has no claim. It is true that the concerned workman had given the said receipt showing that he was finally paid his dues but the said receipt can be no bar to the legal dues which the concerned workman is entitled under Section 25F of the I.D. Act, as the same had not been considered and paid at the time when the final payment was made to the concerned workman vide Ext. M-9(a). I hold therefore that the concerned workman is entitled to the retrenchment compensation calculated on the basis of his 20 years completed service and one months notice pay.

In the result, I hold that the action of the management of Messrs Gawan Mica Mining Company Limited, Post Office Domchanch, District Hazaribagh in denying retrenchment compensation to Shri Balbhadr Prasad who only possessed Foreman certificate from the Board of Mining Examination is not legal and justified. Consequently he is entitled to the retrenchment compensation calculated on the basis of his 20 years completed service and one months notice pay.

This is my Award.

Dated : 27-11-86.

I. N. SINHA, Presiding Officer
[No. L-28012(1)85-D. III(B)]

नई दिल्ली, 1 जनवरी, 1987

का. आ. 95:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, केन्द्रीय लोक निर्माण विभाग के प्रबंधताल से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-12-86 को प्राप्त हुआ था।

New Delhi, the 1 January, 1987

S.O. 95.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi as shown in the annexure, in the industrial dispute between the employers in relation to the management of C.P.W.D. and their workmen, which was received by the Central Government.

BEFORE SHRI G. S. KALRA, PRESIDING OFFICER,
CENTRAL GOVT. INDUSTRIAL TRIBUNAL
NEW DELHI

I. D. No. 68/84

In the matter of dispute between

Shri Satish Kumar S/o Shri Prehlad Ral Aggarwal,
r/o 151, Aliganj, Lodi Road, New Delhi-3.

Versus

The Executive Engineer,
Electrical Construction Div. No. III,
C.P.W.D. A-Wing, Pushpa Bhavan, Madangir,
New Delhi.

APPEARANCES :

Shri H. S. Vats for the workman.

Shri Narinder Chaudhary for the Management.

AWARD

The Central Government in the Ministry of Labour vide its notification No. I-42012(11)/84-D. II(B) dated 5th September, 1984 has referred the following industrial dispute to this Tribunal for adjudication.

“Whether the termination of services of Shri Satish Kumar, Khalasi on Muster Roll, w.e.f. 14-4-1983 by the management of C.P.W.D. Electrical Construction Division, No. III Madangir is legal and justified? If not, to what relief is the workman entitled?”

2. The facts of the case fall into a narrow compass. The claimant joined the respondent as a Khalasi on muster roll w.e.f. 4th June, 1982 in the Electrical Construction Division No. 3, CPWD and his services were terminated on 14-4-83. The case of the workman is that he had completed more than 240 days service till the date of his termination and, therefore, compliance with the provisions of section 25-F of the I.D. Act, 1947 (hereinafter referred to as the Act) was mandatory. However, the Management did not comply with the provisions of section 25-F and hence the order of his termination is illegal. Moreover, the persons junior to him were retained in service and, therefore, there has been violation of section 25-G of the Act.

3. The Management has justified the termination of the workman and has pleaded that the workman had not completed 240 days of service until 14th April, 1983. It has further been stated that the work of the claimant was not satisfactory and his behaviour with senior officers was not good and he used un-parliamentary and abusive language against his senior Shri N. K. Aggarwal, J. E. and he was also found mis-utilising his identity card for maintaining

Technical Officer's Hostel at Lodi Road and he also quarrelled with the Security Officer Incharge of the Technical Officer's Hostel. The workman was also summoned by the Enquiry Officer in a case of theft of ceiling fans in the Lodi Road area. The Management justified the order of termination as it is based upon the instructions issued on the subject.

4. It may straightway be noted that the pleading of the Management in the written statement that the workman had not completed 240 days service upto 14-4-83 has been proved wrong by the statement of its own witness Shri A.N. Dixit, MWI, Executive Engincer who has clearly stated that the workman had completed 240 days service on 15-4-83. He further stated that no regular enquiry was held because they believed that none was necessary nor practicable. Thus the workman was not given any opportunity to explain his conduct and there has been violation of the principle of natural justice and the termination of the service of the workman on disciplinary grounds without serving any charge sheet upon him and holding any enquiry cannot be sustained. The termination of the workman, therefore, amounts to retrenchment and in that event compliance with the provisions of section 25-F of the Act was mandatory and as admittedly no compliance has been made with the said provisions, the order of termination is clearly illegal and void ab initio. It has been admitted both in the written statement as well as in the statement of MWI Shri A. N. Dixit that there were juniors to the claimant who retained in service and, therefore, there has also been violation of section 25-C of the Act and the order of termination is liable to be set aside on this ground also.

5. In the result it is held that the termination of the workman was neither legal nor justified and the workman is entitled to reinstatement with continuity of service with full back-wages. This reference is disposed of accordingly.

Further it is ordered that the requisite number of copies of this award may be forwarded to the Central Government for necessary actions at their end.

11th November, 1986.

G. S. KALRA, Presiding Officer
[No. I-42012/11/84-D. II (B)]

नई दिल्ली, 2 जनवरी, 1987

का. आ. 96:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, जनरल मैनेजर, इडिया सीमेन्ट लिमिटेड, के प्रबंधताल से सम्बद्ध नियोजकों और कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, मद्रास के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-12-86 को प्राप्त हुआ था।

New Delhi, the 2nd January, 1987

S. O. 96.—In pursuance of section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Madras as shown in the Annexure, in the industrial dispute between the employers relation to the management of The General Manager, India Cements Limited, Post Office Sankari West-637303, Distt. Salem, Tamil Nadu and their workmen, which was received by the Central Government on the 17th December, 1986.

BEFORE THIRU FYZEE MAHMOOD, B.Sc. B.L., PRE-
SIDING OFFICER, INDUSTRIAL TRIBUNAL,
TAMILNADU, MADRAS.

(Constituted by the Central Government)

Thursday, the 4th day of December, 1986

INDUSTRIAL DISPUTE NO. 39 OF 1985

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the workman and the Management of India Cements Limited, Sankari West, Salem District).

BETWEEN

The workman represented by The General Secretary, India Cements Employees' Union, Post Office Sankari West-637303, District Salem, Tamil Nadu.

AND

The General Manager, India Cements Limited, Post Office Sankari West-637303, District Salem, Tamil Nadu.

REFERENCE :

Order No. L-29012/4/85-D. III(B), dated 12th June, 1985 of the Ministry of Labour, Government of India, New Delhi.

This dispute coming on this day for final disposal in the presence of Thiru N.G.R. Prasad for Thiruvalangal Row and Reddy, Advocates appearing for the workman and of Thiru S. Jayaraman, Advocate for the Management upon perusing the reference, claim statement and other connected papers on record and the workman having filed a memo of settlement and recording the same, this Tribunal passed the following :

AWARD

This dispute between the Workmen and the Management of India Cements Limited, Sankari West, Salem District arises out of a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947 by the Government of India in its Order No. L-29012/4/85-D. III(B), dated 12-6-1985 of the Ministry of Labour for adjudication of the following issue :

"Whether the demand of the India Cement Employees' Union, Sankari West P. O. 637303, District Salem, Tamil Nadu for regularisation of the service of Shri K. Ranganathan, workman as Blacksmith Grade 'C' in the Limestone Mines of Messrs. India Cements Limited, Post Office Sankari West-637303, District Salem, Tamilnadu is justified ? If so, to what relief, is the workman concerned entitled ?"

(2) Parties were served with summons.

(3) Petitioner Union India Cements Employees Union, Sankari West filed its claim statement on 20-5-1986 putting forth the claim of the workman. The Management did not file their counter statement. Union and the Management were represented by counsel.

(4) Today, when the dispute was called, a memo was filed by the Petitioner stating that the Petitioner resigned from the service of the Management and an award may be passed as settled out of Court. is is recorded.

(5) In view of the memo filed, an award is passed dismissing the reference as settled out of court. No costs.

Dated, this 4th day of December, 1986.

FYZEE MAHMOOD, Industrial Tribunal

[No. L-29012/4/85-D. III (B)]

का. आ. 97:—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) को भारा 17 के अनुसरण में, केन्द्रीय सरकार, बैलाडिला आयरन ओर प्रोजेक्ट, नियाजित नं. 14, किरानदुल के प्रबंधतांत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निश्चिट और ग्राहिक विवाद में केन्द्रीय सरकार और बिल्डर था ए. पा. नेट के पंकाट को प्रकाशित करती है।

S. O. 97.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Arbitrator, Shri A. P. Netke as annexed hereto in the industrial dispute between the employers in relation to the management of Bailadila Iron Ore Project, Deposit No. 14, Kirandul and their workmen, which was received by the Central Government.

AWARD

The undersigned was appointed as a Arbitrator by mutual consent of SKMS Union Kirandul and Management of Bailadila 11C, to look into the dispute "whether Shri S. Vijayappan, Assistant (Per) had shouldered additional duties of Junior Officer (Per.), in addition to his own with effect from 14-3-1981 to 11-8-1985, at Bailadila Iron Ore Project, Deposit No. 11C Office, Kirandul, if so, what remuneration he is entitled ?"

The agreement of above parties was received by the undersigned on 26-7-1986 and the offer of arbitration in terms of clause No. 7 (Part-II) of Industrial Disputes (Central Industrial Rules 1957), I had accepted the appointment as a Arbitrator.

Notice to the both parties was issued on 27-7-1986, calling both the parties for investigating the matter. The first hearing for the case was fixed on 10-8-1986, in which Personnel Officer Mr. Mithal Ram had represented on behalf of Project Manager, 11C Bailadila Kirandul, and SKMS (AITUC) Kirandul was represented by Shri P. N. Bhagwan, Secretary and Shri R.D.C.P. Rao, Organising Secretary. In the first hearing both parties were requested to submit the documentary evidence on behalf of individual parties. Management Representative (MR) had submitted a written note refusing the claim of Shri S. Vijayappan, at MGT-I. He had also submitted a job specification for Assistant (Per) Code No. VIII-1 as MGT-II. Management representative had also submitted a statement of honorarium paid to Shri S. Vijayappan, during the period 14-3-1981 to 1-8-1985, which was taken on record as MGT-III.

SKMS Union had submitted various documents, which have been taken on record as numbering UNI-I and UNI-6. The details of the documents submitted are given below.

UNI-I.

Payment of honorarium for performing additional duties by Shri S. Vijayappan, Dated 6-3-1983.

UNI-II.

Office Order indicating payment of honorarium of Rs. 75/- to Mr. S. Vijayappan dt. 24-11-1983.

UNI-III.

Office Orders indicating sanction of honorarium to S. Vijayappan, for extra work done by him from 14-3-81 to 1-8-1985.

UNI-IV

Request for payment of charge allowance by Sri S. Vijayappan, dt. 11-7-1985.

UNI-V

Application for payment of charge allowance dt. 14-10-85.

UNI-VI.

Reply by Personnel Officer to representation made by Shri S. Vijayappan, 14-10-85, indicating that charge allowance case can not be agreed.

SKMS Representative wanted that Management Representative should give statement first, accordingly MR has indicated that whenever a person works for higher responsibilities job, an office order is issued to that effect. No such order was given to Shri S. Vijayappan, to look after the duties of Junior Officer. For additional duties carried out by Sri Vijayappan, Management has already paid honorarium for the same. He also indicated that though Junior Officer post was sanctioned but against this post Assistant Personnel Officer, was posted to the Project. He indicated that in Personal Section 2 Junior Officers and One Assistant post was sanctioned. Against this one Assistant Personnel Officer and 2 Assistants were posted in the Section to carry out the routine job. He also indicated that on various dates honorarium has been paid to Shri Vijayappan, amounting to Rs. 1175/- or the period 31-10-1982 to 1-8-1985. Arbitrator enquired about details of honorarium paid for that purpose. To this, MR had submitted details of honorarium paid, which has been taken on record at MGT-III. This indicates that various amount paid to Shri Vijayappan, relates to additional work carried out by him. The additional work involved are like dairy, despatch, typing, distribution of dak and other allied works. It also indicates honorarium for preparation of arrear bills, up-dating of records of Materials Management and extra work done from 14-3-1981 to 1-8-1985. Arbitrator has given a chance to UR for examining the MR. The question was raised as to indicate the instances wherein office orders were issued for performing higher responsibilities job. Management representative produced a record which indicates that when a particular person has carried out higher responsibilities job, he has been paid honorarium. This was not the record, which was asked by UR. When this was pointed out, MR indicated that only verbal orders were issued to concerned person after taking approval of competent authority. No written orders were issued. MR replied to a question from UR as to who was holding the responsibility of Junior Officer (Per) till 12-8-1985, to which MR replied that Asstt. Personnel Officer was looking after this duty. With this examination of MR was completed and proceeding adjourned to 11-8-1986.

In the sitting of 11-8-1986 UR requested for allowing them to ask one more question to MR, which was allowed. The question put up was what procedure is adapted for disposal of papers when papers are received by HOD i.e. Personnel Officer from other sections. MR indicated that the papers are marked to Asstt. Personnel Officer. After this UR requested Arbitrator (AR) to allow them to present the affected official Shri S. Vijayappan, for giving his statement. The presentation of affected official was permitted. Affected official had given a statement. The statement indicates that though there was a post of Junior Officer (Per) sanctioned, no body was posted against this post as Junior Officer, but Mr. Raju, Asstt. Personnel Officer, was working against this post, and all papers were marked to Affected Official by Asstt. Personnel Officer. He also indicated that in Dec. 14, officers bill are prepared by Finance Wing, but in Expansion Wing, the pay bill of officers were prepared by Affected Official.

He (AO) also indicated that in one of the informal discussion with Asstt. Personnel Officer, he had indicated that Personnel Section will be in position to carry out the job with the help of Assistant and we need not ask for posting of Junior Officer. Junior Officer (Per) was posted in the Section some time in July, 1985 after which affected official has given an application to General Manager for giving acting allowance. GM, had sanctioned honorarium of Rs. 600/- in response to this application for Charge Allowance. He has also mentioned that during period 1981 to 1985, he has signed office orders which are normally signed by Junior Officer or higher executives. When AR asked to produce orders signed by the Affected Official (AO), he had produced 2 documents which have been taken on record as UNI-7. The documents submitted by AO at UNI-7 as an indication of office order

which relates to Transfer of HVD. This order has been signed by AO for Personnel Officer. The same order has been approved by General Manager on 7-1-1983. Other documents produced which has been taken at UNI-8, indicates check list for completion of probation period. This has also been signed by AO at the place of Junior Officer on 9-9-1983, in addition to signature of Dealing Assistant. This check list has been approved by Personnel Officer on 9-9-1983. AR requested to AO to produce some more document for which he requested time period of 24 hours, which had been allowed. AR indicated that AO should submit the copies of the relevant documents on 12-8-1986, with a request that the documents submitted to AR should be signed by UR and MR both.

On 19-8-1986, two documents were submitted by AO and these documents have been taken on record as UNI-9 & UNI-10. The documents submitted related to check list for completion of probation. These documents are also signed by AO at the place of Junior Officer (Per) in addition to signature at Dealing Assistant on 21-3-1983, and 8-12-1984. AR enquired as to why AO feels that the check list preparation is higher responsibilities job. He replied that at the time of submitting the check list for completing the probation for approval of GM, he has signed the check list as Junior Officer (Per). At that time Asstt. Personnel Officer or a Personnel Officer did not take any objection for his signing for Junior Officer. At this juncture UR brought on the record that AO has signed the check list for Junior Officer as per verbal instructions. UR added that as per the practice, probation clearance of an employee is a responsible job and though the check list is prepared by Assistant, it has to be signed by responsible officer, Junior Officer or above. After signing by Junior Officer the papers are to be put to Asstt. Personnel Officer or controlling officer and as AO has put up the papers to Asstt. Personnel Officer or Controlling Officer after signing the papers, he has carried out the job of Junior Officers in addition to his duties of Assistant.

AR indicated that the papers related upto period of December, 1984 only. He wanted to have some more evidence to arrive at conclusion for which purpose AO requested some times to collect the record. His request was accepted. But sitting could not be held upto 24-11-1986, due to non availability of either MR, UR or AR.

During this period AO has given a list of works, he has done during the period 9-6-1981 to 11-7-1985. The list indicates about 56 notings and 19 Leave notifications. These notes and notifications were checked by the undersigned at random at the rate of 20 per cent. From this it was seen that noting side has been signed by AO and put up to either Asstt. Personnel Officer or Personnel Officer, whereas leave notifications, it appears that AO has signed for Personnel Officer.

On 24-11-1986, Management's Representative was allowed to cross examination of AO and MR has indicated that he does not want to cross-examination the AO. UR were allowed to re-examine the AO, in which they had asked that whatever works has been carried out by AO has been routed through proper channel, and he has worked in capacity of Junior Officer either on verbal or in written instructions to which AO has replied that he has carried the work on verbal instruction. AO again confirmed to a question of UR that all the works he has done in the capacity of Junior Officer, as per verbal instruction and to that effect discussion had taken place between APO, PO and AO. UR further indicated that whatever works has been done by AO is more or less equivalent to the work of Junior Officer. Hence, the claim for charge allowance for Junior Officer is justified. With this re-examination was over and with this detail proceedings were closed on 24-11-1986.

OBSERVATIONS :

In the construction Wing, there exists a sanction of 2 Junior Officers and 1 Assistant, whereas during the period under consideration one Asstt. Personnel Officer and 2 Assistants were in position. Management pleaded that Asstt. Personnel Officer was posted against Junior Officer's post

and Junior Officer's job was carried out by the higher responsibility officer than Junior Officer i.e. Asstt. Personnel Officer, whereas, Union has argued since the Junior Officer post was sanctioned and no body was in a position, the Asstt. has carried out the job of Junior Officer.

From the records, produced before (AR) Arbitrator, it appears that the affected official has some time signed for Junior Officer and this has not been challenged or objected by Asstt. Personnel Officer or Personnel Officer i.e. Management of IIC Project. Therefore, AO has assumed that his signing of the record for Junior Officer is acceptable to Management. He has also put up the application to GM for charge allowance of Junior Officer on 11-7-1985 (UNI 4). This application has been recommended and forwarded by Personnel Officer to General Manager on 19-7-1985 and Management had paid Rs. 600/- as honorarium in response to charge allowance claim by AO. Management has also paid to the affected officials from time to time for additional works carried out by them. The total additional emoluments received by the AO during the period under consideration works to Rs. 1175.

CONCLUSION

Undersigned have studied the job description of Assistant and most of the time the affected official has carried out the job in the capacity of Assistant. It is evident that till Junior Officer was posted in the Section affected official has never raised question of charge allowance. He was happy with honorarium he was getting. He raised this question only when the Junior Officer was posted and Asstt. Personnel Officer was transferred.

In the bureaucratic set up, normally all the notings and initiations of works has to be done by a lowest person i.e. in this case Assistant and he had to put up the papers to the higher official either for approval or for forwarding to General Manager. Job description for JO (Per) does not exist in the Organisation, hence, it is difficult to say whether

AO has actually carried out the additional job of Junior Officer. As per his claim in many cases, he has signed at the place of Junior Officer, which should have been signed by the higher official but this has not been done. Moreover, when a AO has put up the application for charge allowance, his claim has not been disputed but honorarium has been paid to him. For some time i.e. upto November, 1982, it appears that only Asstt. Personnel Officer was heading the Section, in that case Asstt. Personnel Officer and Assistant were carrying out the total job. After this period, Personnel Officer has joined the Section, therefore the claim by Management that Asstt. Personnel Officer was working against the post of Junior Officer is not correct, he was working against the post of Personnel Officer.

Hence, I am inclined to accept that for about 20 months i.e. from March, 1981 to November, 1982 Assistant i.e. AO has carried out the job of Junior Officer, as well as Assistant, for this his claim for charge allowance is acceptable which works out to at the rate of 100 per month equal to Rs. 2,000, but the affected official has already been paid to the extent of Rs. 1175, hence the balance amount of Rs. 825 should be paid to the official for carrying out the additional duties of Junior Officer.

As per the agreement between both parties, the award given by Arbitrator is acceptable to them, hence, the balance or Rs. 825 should be paid to the Affected Official within a period of one month from the date of award.

The implementation report should be sent to the competent authority for record.

Dated : 5-12-1986.

A. P. NETKE, Arbitrator,
INo. L-26013/2/86-D. III (B)
HARI SINGH, Desk Officer.

